

**FILED**

APR 12 2024

OKND 2254 Mod 07/2019

**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY****Mark C. McCartt, Clerk  
U.S. DISTRICT COURT**

United States District Court		Northern District of Oklahoma	
Name (under which you were convicted): <b>Richard W. Long</b>		Docket or Case No.: <b>24 CV - 165 JDR - SH</b>	
Place of Confinement: <b>Clara Waters Correctional Center 9901 N F-35 serv RD OKC, OK 73131</b>		Prisoner No.: <b>547526</b>	
Petitioner (include the name under which you were convicted): <b>Sheryl D. Dorman C/O Richard W. Long</b>		Respondent (authorized person having custody of petitioner): <b>Scott Wallace, Warden Clara Waters Correctional Center Oklahoma DOC</b>	
The Attorney General of the State of:		<b>Oklahoma</b>	

**PETITION**

1. (a) Name and location of court that entered the judgment of conviction you are challenging:

**Mayes County 1 Court Plaza # 200  
Pryor, OK County of Mayes  
74361**

- (b) Criminal docket or case number (if you know):

**CF-2021-00212**

2. (a) Date of the judgment of conviction (if you know):

**~~04-21-2023~~ 04-18-2023**

- (b) Date of sentencing:

**04-21-2023**

3. Length of sentence:

**3yrs revocation CF-2016-00251, 5 Grand Larceny CC**

4. In this case, were you convicted on more than one count or of more than one



Yes



No

5. Identify all crimes of which you were convicted and sentenced in this case:

**I had a revocation hearing 04-17-2023, for the CF-2021-00212 Charges. My trial was supposed to be 04-24-2023. I had a problem with my Defense Attorney and had no choice due to missing exculpatory evidence and never being able to speak for myself.**

6. (a) What was your plea? (Check one)



(1)

Not guilty



(3)

Nolo contendere (no contest)



(2)

Guilty



(4)

Insanity plea

**w/ explanation on plea****fees paid, 0 summons**

OKND 2254 Mod 07/2019

(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to?

*I wasn't and remain Insisting I am not Guilty. I was forced to plead with coercion. My Defense Attorney Sent me texts Friday afternoon 04-14-2023 stating he was unhappy with his money I've paid so he will only go to the hearing to please the Judge (see*

(c) If you went to trial, what kind of trial did you have? (Check one) *Then he withdrew 4-17-23 and took me 4-18-23 to Plead Guilty I refused*

☐ Jury ☐ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☐ Yes ☒ No

*I was never allowed to speak*

8. Did you appeal from the judgment of conviction?

☐ Yes ☒ No

*In any hearing*

9. If you did appeal, answer the following:

(a) Name of court:

(b) Docket or case number (if you know):

(c) Result:

(d) Date of result (if you know):

(e) Citation to the case (if you know):

(f) Grounds raised:

(g) Did you seek further review by a higher state court?

☐ Yes

☐ No

If yes, answer the following:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Result:

**(6) Grounds raised:**

4

☐ No

**(2) Result:**

(4) Citation to the case (if you know):

☒

**Y**

No

(a) (1) Name of court:

(3) Date of filing (if you know):

(4) Nature of the proceeding:

**(5) Grounds raised:**

☐ Yes☐ No

**(7) Result:**





OKND 2254 Mod 07/2019

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☐ No(7) Result: NA

(8) Date of result (if you know): \_\_\_\_\_

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☐ Yes ☐ No(2) Second petition: ☐ Yes ☐ No(3) Third petition: ☐ Yes ☐ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

I was revoked 4-17-23 my wife Sherry Dorman contacted news, news contacted maxes ed + District 12 matt ballard <sup>see ground one</sup>

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE:

missing exculpatory evidence (See Attached Ground One)  
Investigated by Wayne Stinnett Chief Investigator District 12  
matt Ballard

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

This was mistaken from the start. I was never allowed to speak at the prelim 8-26-23 as I listened to James Surine with Rae Corp lie on the stand. I said and wrote down to my def lawyer Jeff Price to please put me on the stand, he refused. I was refused the right to speak for myself or defend myself. Dates are not correct. This case has too many mistakes

(b) If you did not exhaust your state remedies on Ground One, explain why:

~~Wayne Stinnett~~  
 Wayne Stinnett started investigating this case approximately May 2023. Through this entire year he has said as soon as he proves to Matt Ballard I am innocent I will be released and cleared. He has stated several times he is almost done and showed me pictures of the missing video proving my story and my lead man's story Lester Swearengin who testified 04-17-23 but his testimony was ignored by my Def, Prosecutor + Judge. Again I was never allowed to tell my side

OKND 2254 Mod 07/2019

(c) **Direct Appeal of Ground One:**(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_  
\_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
\_\_\_\_\_(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_  
\_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
\_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

I have been waiting for Wayne to prove my entire charges were Frivolous. He has found all the proof and has stated so. I was told to call him for a def answer mid march. He has ignored my calls since he told me to call him 03-25-24. With the help of my wife Sheryl Dorman I've been able to put this case together to prove to you I'm innocent. The Case has huge holes and Demand my release

OKND 2254 Mod 07/2019

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: \_\_\_\_\_

**GROUND TWO:**

**Ineffective Assistance of Counsel by defense Attorney Jeffrey Price**

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Jeff Price was contracted to defend Richard W. Long Roughly in Dec/Jan <sup>2021</sup>/<sub>2022</sub>. Jeff accepted a payment plus on \$10,000 for trial. We kept asking him why trial? The evidence from Oct 7 & 10 2021 should end & dismiss the entire issue. He was already given what little evidence he would accept from me or my wife. Jeff didn't seem to feel the same way stating "Save it for trial mayes co does what mayes county wants to do" see attached oscn report" there is was

(b) If you did not exhaust your state remedies on Ground Two, explain why: too many discrepancies Wayne Stannett claimed he would be able to prove this stuff and I would be released I have to file before my timeruns out. He is ignoring me

(c) **Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

## GROUND 2 EXPLAINED

### Ineffective assistance of counsel

You will see in the OSCN case search provided, Jeff Price never once corrected any wrong information given by the prosecutor or prosecution witness. (see EXOSCN) Jeff claimed in a motion to withdrawal he sent out subpoenas to specific people (see EXmotionJP) Jeff made several false statements in that motion including but not limited to not being paid. Jeff was paid cash a few times by me, and I know once by my wife Sheryl Dorman. She withdrew 800.00 cash from her personal account at RCB in Pryor, Okla the morning of April 17, 2023, and I handed it directly to Jeff Price with a promise to mail me a receipt. He never gave me any receipts for anything. Mr. Price has refused to give me or my wife an itemized list of monies deposited into my account, work accomplished in defending me, and any other costs incurred. My wife has emailed for proof a few times over the past year recently this month and was only called a liar, a terrible person and refused to discuss anything. I sent my wife a message in MCJ asking her to help me withdrawal my plea (see EXTEXTMCJ) but we had no idea how in Mayes Co and Jeff refused to speak. Lester Swearingin being one of those witness for Richard, but you will see a text between Lester and Richard (see EXLR41623) the late morning before Court discussing can Lester go to testify in Richards defense if Jeff Price the defense attorney never subpoenaed him or even called him, stating his lawyer never called him again or notified him of anything at all. As of his testimony meant nothing to the defense on a motion to revoke for something Richard did not do. I find it very hard to believe that Mr. Price had any intention of defending Mr. Long for the start. Jeff Price never sought out missing evidence that was told to him by Lester Swearingin on Sept 27, 2022, (see EXLR92722) Lester was the leadman on October 7, 2021, he approved Marks story and assisted in also helping. Both men did nothing more then ParFab security and employees in Inola Okla did September 2020. Lester feared being charged. Lester nor Richard could understand why Randy Marks and his helpers came into Rae twice Oct 7, 2021, and Oct 10, 2021, to impersonate a Cherokee nation minister to gain metal he claimed was donated to his cause. (see EXLR927221). Jeff Was offered emails from Richard to the owner of RAE Jerry Salcher explaining everything, again you will see Lester was fired directly after the email he received the same day 10/26/2021. (see E1Sulcher, E2Sulcher, EXRL102621)

You will see that at none of the hearings Richard never spoke in his own defense. Mr. Price had a chance to allow Richard to tell his story one last chance April 17, 2023, but when he cross examined Richard, he had no intentions of allowing Richard to raise his own defense of missing exculpatory evidence Jeff already knew about and swore he would fix it all in trial, save it for trial. A trial he ensured never took place. We ask the court to please release Richard W. Long, the evidence provided by me today is only partial evidence I've collected .

OKND 2254 Mod 07/2019

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: \_\_\_\_\_

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: \_\_\_\_\_

Wayne Stennett investigated. Sheryl Dorman has DPOA over me and attempted to communicate with Jeff Price but was only belittled and called names

**GROUND THREE:**

Prosecutorial mis Conduct By Judge Rebecca Gore via Email

- (a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): Kyle Long DA

I have enclosed transcripts with wrong dates. He was sentenced for Oct 12, 2021. It was Oct 2 + Oct 10 2021. Randy Marks entered Rue, Kyle Long and Judge Rebecca Gore ignored def witness Lester Swearingin had a private meeting with defense, DA, & Judge called recess and an officer came in during recess to collect Richard for DOC. The hearing hadn't even concluded yet. Kyle Long started prelim with Oct 12, 2021. James Surine had no they just watched the "video" Idea to Date

OKND 2254 Mod 07/2019

(b) If you did not exhaust your state remedies on Ground Three, explain why:

Again Wayne Promised a year ago he would find out if I'm innocent and he has yet to say I am only that he knows I'm telling truth

(c) Direct Appeal of Ground Three:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

OKND 2254 Mod 07/2019

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Investigato(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three:**GROUND FOUR:** Negligent misrepresentation by TRAE Corp + James Surine. Lester + Richards Supervisor

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

08-26-22  
 In James Surines testimony you will see not only did he have dates wrong But he swore he did an internal investigation However he never asked the accused or watched all footage and Im aware Jerry Salcher passed info to James + Eric Swanik because of all the info Lester was fired oct 26, 2021.

(b) If you did not exhaust your state remedies on Ground Four, explain why:

District  
12 Investigated  
promized  
I'd be released when they  
saw proof  
Wayne showed  
me proof I know  
he knows  
Im innocent

(c) **Direct Appeal of Ground Four:**(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:



OKND 2254 Mod 07/2019

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the ☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state: \_\_\_\_\_

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: \_\_\_\_\_

Same as  
all grounds

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Told Wayne Stinnott District 12  
Investigator for matt Ballard Im  
Innocent and was forced to plead



OKND 2254 Mod 07/2019

13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☐ Yes ☒ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

I presented all these grounds to @ Wayne Stinnett. He did a full investigation. I've included a Subpoena for information + the videos from Oct 7, 10, 12

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

After receiving all transcripts and evidence its obvious no one even had the date I supposedly stole something wrong including

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☒ No

witness for state

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

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15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

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OKND 2254 Mod 07/2019

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: Jeffery Price

(b) At arraignment and plea: revocation hearing 04-17-23  
Jeffery Price

(c) At trial: \_\_\_\_\_

(d) At sentencing: Jeffery Price

(e) On appeal: \_\_\_\_\_

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed: \_\_\_\_\_

(c) Give the length of the other sentence: \_\_\_\_\_

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☐ Yes ☒ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

I think I made it in just before my 1 year

Please See Attachments for..  
Grounds 2-

Copies of transcripts to see the evidence of testimony

OKND 2254 Mod 07/2019

I am not Guilty, I felt forced by misrepresentation to plead to avoid Life under a 3 Strikes rule. I have NO theft charges in my entire Life. I never state anything everything I'm stating and Lester stated in testimony is true but no one would ask where is Oct 7, 2021. Please your honor look at my small amount of evidence combined with Wayne Stinnetts findings and Lesters testimony and order my release. I DID NOT STEAL anything

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\* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -
  - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

OKND 2254 Mod 07/2019

- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief: \_\_\_\_\_

\_\_\_\_\_

or any other relief to which petitioner may be entitled.

\_\_\_\_\_  
Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system, with the correct postage attached, on:

\_\_\_\_\_(month, date, year).

Executed (signed) on

04-12-24

(date).



Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.

My name is Sheryl D Dorman, my husband Richard Long and I have believed Wayne would find justice for Richard but we realized time is running out for post conviction relief. ~~I started my wife~~ I've been collecting evidence since December 2021. Jeff Proce refused ALL my Evidence before the hearing 4-27-23. I'm asking you to please allow me to bring this issue before you today I did not have time to mail everything to Richard and get it Back. This is truly our last ditch effort



4G LTE 41% 3:42

**RICHARD LONG**

Feb 12

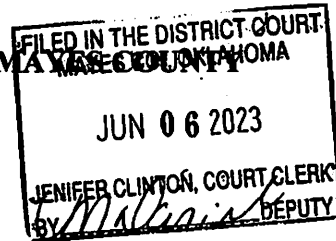
To: SHERYL DORMAN

inspector stinett came and saw me in ...

inspector stinett came and saw me in jail and interviewed me about the charge I took the plea on he said he as long as he believed me he would gwet me out, after I pulled chains I called him and he said he believed me and didn't think I should be in prison and he'd do everything he could to get me out, its taken 9 months so far he said he still believes and thinks he has his boss, da Ballard , on the same page, because he said I shouldn't have been charged I never appealed it because I actually believed he'd fix it, it was said if he could prove I didn't know the guy or talk to him before Oct 7th that I'd be vindicated , still locked up, Jeff price my attorney told me to take the plea coz even if I beat the charge I'd still serve my revocation, I wouldn't havgot a revocation if they would a charged the person responsible who did the same exact thing the same way at parfab and was out still doing it, same story and everything, I feel like the system is totally fucked up and judges do what they want and protect who they want,

Mr Long  
E mess  
Feb 12 2021

IN THE DISTRICT COURT WITHIN AND FOR MAYES COUNTY  
STATE OF OKLAHOMA



STATE OF OKLAHOMA,

Plaintiff,

v.

RICHARD WILLIAM LONG,

Defendant.

Case No. CF-2021-212

**SUBPOENA DUCES TECUM**

TO: AT&T, Inc. and all its subsidiaries and affiliates  
11760 US HWY, Suite 600  
North Palm Beach, Florida 33408

**GREETINGS:**

You are hereby commanded to provide by 5:00 o'clock p.m. on the 20th day of June, 2023 to the Mayes County District Attorney's Office located at 1 Court Place, Ste. 250, Pryor, Oklahoma 74361 all records and/or reports requested and/or referenced below:

Call detail records for voice calls and text messages for the account corresponding to cellular phone number (918) 734-1108 between the following dates:

September 1, 2021 through November 30, 2021

MATTHEW J. BALLARD,  
DISTRICT ATTORNEY

By: 

Kyle E. Long, Assistant District Attorney  
Mayes County District Attorney's Office  
1 Court Place, Ste. 250  
Pryor, Oklahoma 74361

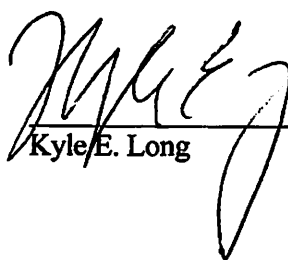
It is hereby ordered that within named witness shall attend and provide the requested documents as summoned.

  
Judge of the District Court.

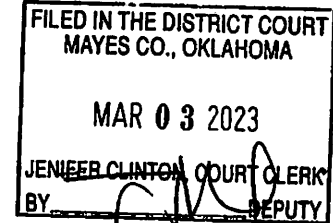
**CERTIFICATE OF MAILING**

**I hereby certify that I mailed or delivered a true and correct copy of this subpoena to:**

**Jeff Price  
400 S Muskogee Ave  
Claremore, Oklahoma 74017  
Attorney for Defendant**

  
\_\_\_\_\_  
Kyle E. Long

IN THE DISTRICT COURT OF MAYES COUNTY  
STATE OF OKLAHOMA



STATE OF OKLAHOMA,  
  
PLAINTIFF,  
  
vs.  
  
RICHARD WILLIAM LONG  
  
DEFENDANT.

Case No. CF-2021-212

**NOTICE OF AVAILABLE DISCOVERY AND REQUEST FOR DISCOVERY**

COMES NOW the State of Oklahoma, by and through Matthew J. Ballard District Attorney in and for Mayes County, Oklahoma, and gives notice that law enforcement reports and any and all other evidence in the possession of the State of Oklahoma, except for attorney work product, shall be open to the defense for inspection and review.

Such discovery will be provided within the confines of the Mayes County District Attorney's Office during the regular business hours of the district attorney's office. A request for viewing physical evidence should be made by appointment.

Reproduction or copying of the documentation within the State's possession will generally be permitted, pursuant to *Allen v. District Court of Washington County*, 803 P.2d 1164 (Okla. Cr. 1990); 22 O.S. 1991, §§ 2001, 2002.

If agreement cannot be reached by the attorneys on both sides as to the discoverability of a particular item, then the State will submit the questioned item to the court for a judicial determination of the matter.

Furthermore, the State of Oklahoma respectfully requests, pursuant to the Oklahoma Discovery Code in 22 O.S. Sec. 2002(B), that defense counsel disclose and produce the following



information which is known or becomes known to the defendants and/or counsel for the defendants:

- (1) the names and addresses of witnesses, whom the defendant intends to call at trial, together with their relevant oral, written or recorded statement, or summaries of same;
- (2) the name and address of any witness, other than the defendant, who will be called to show that the defendant was not present at the time and place specified in the information, together with the witness' statement to that fact;
- (3) the names and addresses of any witness the defendant will call, other than the defendant, for testimony relating to any mental disease, mental defect, or other condition bearing upon the defendant's mental state at the time the offense was allegedly committed, together with the witness' statement of that fact, if the statement is redacted by the court to preclude disclosure of privileged communication.

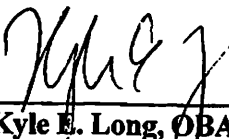
The State further requests access at any reasonable times and in any reasonable manner to inspect, photograph, copy, or have reasonable tests made upon any book, paper, document, photograph, or tangible object which is within the defendant's possession or control and which:

- (a) the defendant intends to offer in evidence, except to the extent that it contains any communication of the defendant; or,
- (b) is a report or statement as to a physical or mental examination or scientific test or experiment made in connection with the particular case prepared by and relating to the anticipated testimony of a person whom the defendant intends to call as a witness, provided the report or statement is redacted by the court to preclude disclosure of privileged communication.

Notice is hereby given.

Respectfully Submitted,

**MATTHEW J. BALLARD**  
**DISTRICT ATTORNEY**

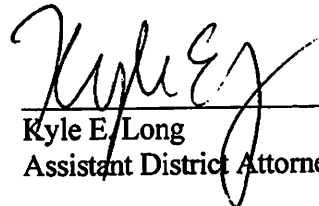
  
\_\_\_\_\_  
Kyle E. Long, OBA #32053

**ASSISTANT DISTRICT ATTORNEY**  
12th Prosecutorial District  
Mayes County District Attorney's Office  
1 Court Place, Ste. 250  
Pryor, Oklahoma 74361

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above notice of open file and request for reciprocal discovery was faxed and delivered via his courthouse mailbox to the attorney for the defendant on the date of filing.

Jeff Price  
400 S Muskogee Ave  
Claremore, Oklahoma 74017  
Attorney for Defendant

  
\_\_\_\_\_  
Kyle E. Long  
Assistant District Attorney

## Form 13.10 Uniform Plea of Guilty - Summary of Facts

IN THE DISTRICT COURT OF Mayes COUNTY  
THE STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

vs.

William  
Richard Long

Defendant.

SS# 1188 D.O.B. 2/70127 Quail Dr.Payor, OK 74361

(Home Address)

*accurate for questioning*  
*Richard could have been questioned*

Case No. C-21-212

[NOTE: The trial judge shall ensure the defendant is sworn either prior to completing the Summary of Facts or prior to inquiry by the Court on the Plea. If the defendant is entering a nolo contendere, or other type guilty plea, correct by pen change where term "guilty" used.]

FILED IN THE DISTRICT COURT  
MAYES CO., OKLAHOMA

APR 18 2023

JENIFER CLINTON, COURT CLERK  
BY [Signature] DEPUTYPLEA OF GUILTYSUMMARY OF FACTSPart A: Findings of Fact, Acceptance of PleaCIRCLE

1. Is the name just read to you your true name?

Yes No

If no, what is your correct name? \_\_\_\_\_

I have also been known by the name(s): \_\_\_\_\_

2. My lawyer's name is:
- Jeff Price

3. (a) Do you wish to have a record made of these proceedings by a Court Reporter?

Yes No

- (b) Do you wish to waive this right?

Yes No

4. Age:
- 53
- Grade completed in school:
- 12th

5. Can you read and understand this form? (If the answer above is no, Addendum A is to be completed and attached.)

Yes No

6. Are you currently taking any medications or substances which affect your ability to understand these proceedings? Yes ☒ No
7. Have you been prescribed any medication that you should be taking, but you are not taking? Yes ☒ No  
If so, what kind and for what purpose? \_\_\_\_\_
8. Have you ever been treated by a doctor or health professional for mental illness or confined in a hospital for mental illness? Yes ☒ No  
If yes, list the doctor or health professional, place, and when occurred: \_\_\_\_\_
9. Do you understand the nature and consequences of this proceeding? ☒ Yes ☐ No
10. Have you received a copy of the information and read its allegations? ☒ Yes ☐ No
11. Does the State move to dismiss or amend any case(s) or count(s) in the information or on page 2 of the information? If so, set forth the cases/counts dismissed or amended. ☒ Yes ☐ No  
*Count 2 Dismissed at Prelim.*
12. A. Do you understand you are charged with:
- |     | Crime Statutory Reference                    | O.S.  |   |
|-----|--|-------|---|
| (1) | <i>GRAND LARCENY AFC 21 FIDELITY 21 1705</i> | _____ | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| (2) | _____  | _____ | Yes <input type="radio"/> No                                  |
| (3) | _____  | _____ | Yes <input type="radio"/> No                                  |
| (4) | _____  | _____ | Yes <input type="radio"/> No                                  |

For additional charges: List any additional charges on a separate sheet and label as PLEA OF GUILTY ADDENDUM B.

B. Are you charged after former conviction of a felony? ☒ Yes ☐ No

If yes, list the felony(ies) charged: *SEE PAGE 2 OF*

*Information DUI x 4, Dam A+B by Strangulation*

13.

Have you previously been convicted of a felony? If so, when, where and for what felony/felonies?

YES. DUS Four times, once for DM A+B

By Stragulation

14.

\_\_\_\_ (Check if applicable) Do you understand you are subject to the Delayed Sentencing Program for Young Adults and what that sentencing program involves?

Yes No

\_\_\_\_ (Check if applicable) Do you understand that upon a conviction on a plea of guilty to the offense(s) of \_\_\_\_\_ you will be required to serve a minimum sentence of:

Yes No

\_\_\_\_ 85% of the sentence of imprisonment imposed before being eligible for parole consideration and are not eligible for earned or other type of credits which will have the effect of reducing the length of sentence to less than 85% of the sentence imposed?

Yes No

\_\_\_\_ % of the sentence of imprisonment imposed or received prior to becoming eligible for state correctional earned credits toward completion of your sentence or eligibility for parole?

Yes No

\_\_\_\_ (Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of \_\_\_\_\_ will subject you to mandatory compliance with the Oklahoma Sex Offender Registration Act?

Yes No

\_\_\_\_ (Check if applicable) Do you understand that any person sentenced to imprisonment for two (2) years or more for the offense(s) of \_\_\_\_\_, involving sexual abuse, sexual exploitation, or illegal sexual conduct, shall be required to serve a term of post-imprisonment supervision for at least three (3) years under conditions determined by the Department of Corrections in addition to the actual term of imprisonment. There will be no post-imprisonment supervision for a sentence of life or life without the possibility of parole for offenses involving sexual abuse, sexual exploitation, or illegal sexual conduct.

Yes No

\_\_\_\_ (Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of \_\_\_\_\_ will subject you to mandatory compliance with the Oklahoma Methamphetamine Offender Registry Act?

Yes No

\_\_\_\_ (Check if applicable) Do you understand that the Court is required to include in the sentence of any person convicted of a felony and sentenced to a term of imprisonment after November 1, 2012, a term of post-imprisonment supervision. The post-imprisonment supervision shall be for a period of not less than nine (9) months nor more than one (1) year following confinement of the person and shall be served under conditions prescribed by the Department of Corrections. There will be no post-imprisonment supervision for a sentence of life without the possibility of parole.

Yes No

15. What is/are the charge(s) to which the defendant is/are entering a plea today?

GRAND LARCENY Value \$1000+0 \$2500, A F C

2 + Felony convictions

16. Do you understand the range of punishment for the crime(s) is/are: (List in same order as in No. 15 above)? *1st + charge*

- |     |   |                                      |                          |
|-----|---|--------------------------------------|--------------------------|
| (1) | Minimum of <u>4</u> to a maximum of <u>life</u> and/or a fine of \$ <u>\$0-1000</u> | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| (2) | Minimum of _____ to a maximum of _____ and/or a fine of \$ _____                    | Yes                                  | No                       |
| (3) | Minimum of _____ to a maximum of _____ and/or a fine of \$ _____                    | Yes                                  | No                       |
| (4) | Minimum of _____ to a maximum of _____ and/or a fine of \$ _____                    | Yes                                  | No                       |

17. Read the following statements: You have the right to a speedy trial before a jury for the determination of whether you are guilty or not guilty and if you request, to determine sentence. (If pleading to capital murder, advise of procedure in 21 O.S. ' 701.10(B)). At the trial:

- (1) You have the right to have a lawyer represent you, either one you hire yourself or if you are indigent a court appointed attorney.
- (2) You are presumed to be innocent of the charges.
- (3) You may remain silent or, if you choose, you may testify on your own behalf.
- (4) You have the right to see and hear all witnesses called to testify against you and the right to cross-examine them.
- (5) You may have your witnesses ordered to appear in court to testify and present evidence of any defense you have to these charges.
- (6) The state is required to prove your guilt beyond a reasonable doubt.
- (7) The verdict of guilty or not guilty decided by a jury must be unanimous. However, you can waive a jury trial and, if all parties agree, the case could be tried by a Judge alone who would decide if you were guilty or not guilty and if guilty, the appropriate punishment.

Do you understand each of these rights?

☒ Yes ☐ No

18. Do you understand by entering a plea of guilty you give up these rights?

☒ Yes ☐ No

19. Do you understand that a conviction on a plea of guilty could increase punishment in any future case committed after this plea?

☒ Yes ☐ No

20. Have you talked over the charge(s) with your lawyer, advised him/her regarding any defense you may have to the charges and had his/her advice?

☒ Yes ☐ No



GRAND LARCENY Value \$1000 + 0

2 + Felony Carvichens

Do you understand the range of punishment for the crime(s) is/are: (List in same order as in No. 15 above)?

Minimum of 4 to a maximum of life

\$-1000

and/or a fine of \$

Minimum of \_\_\_\_\_ to a maximum of \_\_\_\_\_

and/or a fine of \$

Minimum of \_\_\_\_\_ to a maximum of \_\_\_\_\_

and/or a fine of \$

Minimum of \_\_\_\_\_ to a maximum of \_\_\_\_\_

and/or a fine of \$

Read the following statements: You have the right to a speedy trial before a jury for the determination of whether you are guilty or not guilty and if you request, to determine sentence. (If pleading to capital murder, advise of procedure in 21 O.S. 701.10(B)). At the trial:

(1) You have the right to have a lawyer represent you, either one you hire yourself or if you are indigent a court appointed lawyer.



21. Do you believe your lawyer has effectively assisted you in this case and are you satisfied with his/her advice? ☒ Yes ☐ No

22. Do you wish to change your plea of not guilty to guilty and give up your right to a jury trial and all other previously explained constitutional rights? ☒ Yes ☐ No

23. Is there a plea agreement? ☒ Yes ☐ No

What is your understanding of the plea agreement? \_\_\_\_\_

5 YRS DOC CC w/ CF-16-251

\$100 FINE, ct costs, Restitution TBD within 30 days

24. Do you understand the Court is not bound by any agreement or recommendation and if the Court does not accept the plea agreement, you have the right to withdraw your plea of guilty? ☒ Yes ☐ No

25. Do you understand that if there is no plea agreement the Court can sentence you within the range of punishment stated in question 16? ☒ Yes ☐ No

26. Do you understand your plea of guilty to the charge(s) is/are after: (check one) Yes No

( ) no prior felony convictions

( ) one (1) prior felony conviction

(x) two (2) or more prior felony convictions

List prior felony convictions to which pleading: see Questions

12 & 15 herein

27. What (is) (are) your plea(s) to the charge(s) (and to each one of them)?

NO/0 Contendere

28. Did you commit the acts as charged in the Information? Yes ☒ No

State the factual basis for your plea(s) (attach additional page as needed, labeled as ADDENDUM C):

29. Have you been forced, abused, mistreated, or promised anything by anyone to have you enter your plea(s)? Yes ☒ No

30. Do you plead guilty of your own free will and without any coercion or compulsion of any kind? ☒ Yes ☐ No

Richard Long  
Felt forced to Plead  
by His defense lawyer  
+ Judge with threats  
of life when he is  
Found guilty at trial

Defendant he did not secretly  
assist in the removal of property from  
the owner but had stipulated  
stated could be  
54 FR 604  
are reason-  
able trier  
of fact  
to determine  
he is guilty.



31. If you are entering a plea to a felony offense, you have a right to a Pre-Sentence Investigation and Report which would contain the circumstances of the offense, any criminal record, social history and other background information about you. Do you want to have the Report? Yes ☒ No
32. (a) Do you have any additional statements to make to the Court? Yes ☐ No
- (b) Is there any legal reason you should not be sentenced now? Yes ☐ No

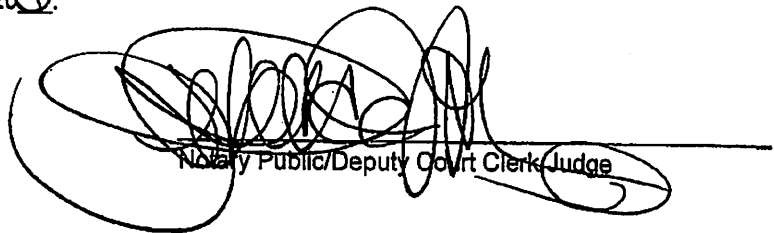
HAVING BEEN SWORN, I, the Defendant whose signature appears below, make the following statements under oath:

- (1) CHECK ONE:
- ☐ (a) I have read, understood and completed this form.
- ☒ (b) My attorney completed this form and we have gone over the form and I understand its contents and agree with the answers. See Addendum "A"
- ☐ (c) The Court completed this form for me and inserted my answers to the questions.
- (2) The answers are true and correct.
- (3) I understand that I may be prosecuted for perjury if I have made false statements to this Court.



DEFENDANT

I Acknowledge this 18 day of April, 2023.

  
Notary Public/Deputy Court Clerk/Judge

33.

I, the undersigned attorney for the Defendant, believe the Defendant understands the nature, purpose and consequence of this proceeding. (S)He is able to assist me in formulating any defense to the charge(s). I am satisfied that the Defendant's waivers and plea(s) of guilty are voluntarily given and he/she has been informed of all legal and constitutional rights.

  
\_\_\_\_\_  
ATTORNEY FOR DEFENDANT

34.

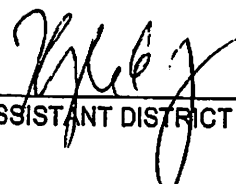
The sentence recommendation in question 23 is correctly stated. I believe the recommendation is fair to the State of Oklahoma.

35.

Offer of Proof (Nolo contendere plea) \_\_\_\_\_  
\_\_\_\_\_

36.

On entering a plea to a felony offense, the State has a right to a pre-sentence investigation and report. The State waives the right to a pre-sentence investigation? Yes No

  
\_\_\_\_\_  
ASSISTANT DISTRICT ATTORNEY

THE COURT FINDS AS FOLLOWS:

37.

A. The Defendant was sworn and responded to questions under oath.

B. The Defendant understands the nature, purpose and consequences of this proceeding.

C. The Defendant's plea(s) of NOLO contendere is/are knowingly and voluntarily entered and accepted by the Court.

D. The Defendant is competent for the purpose of this hearing.

E. A factual basis exists for the plea(s) (and former conviction(s), if applicable).

F. The Defendant is guilty as charged: (check as appropriate)

☐ after no prior felony convictions.

☐ after one (1) prior felony conviction.

☒ after two (2) or more prior felony convictions.

G. Sentencing or order deferring sentence shall be: imposed instanter ☒; or continued until the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.m.

If the Pre-Sentence Investigation and Report is requested, it shall be provided to the Court by the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

H. Defendant is committed to:

\_\_\_\_ The RID Program

\_\_\_\_ The FORT Program

\_\_\_\_ The Delayed Sentencing Program for Youthful Offenders

DONE IN OPEN COURT this 18<sup>th</sup> day of April, 2023

Beth DeGarmo  
Court Reporter Present

\_\_\_\_\_  
Deputy Court Clerk

[Signature]  
JUDGE OF THE DISTRICT COURT  
[Signature]  
NAME OF JUDGE TYPED OR PRINTED

**Part B: Sentence on Plea**

Case No. CF-21-212  
State v. Richard Wm. Long  
Date: 4/18/23

[NOTE ON USE: Part B to be used with the Summary of Facts if contemporaneous with the entry of plea or may be formatted as a separate sentencing form if sentencing continued to future date.]

**THE COURT SENTENCES THE DEFENDANT AS FOLLOWS:**

**TIME TO SERVE**

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows:  
(list in same order as in question No. 15 in Part A)

5 yrs DOC  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Upon release from such confinement, you shall serve a term of post-imprisonment supervision under conditions prescribed by the Department of Corrections for a period of:

\_\_\_\_\_  
\_\_\_\_\_

2. The sentence(s) to run:

X (concurrently/consecutively) u/ CF-16-251

(OR)

\_\_\_\_\_  
NOT APPLICABLE

3. Defendant shall receive:

✓ Credit for time served

\_\_\_\_\_  
No credit for time served

DEFERRED SENTENCE

1. The sentencing date is deferred until \_\_\_\_\_, 20\_\_ at \_\_\_\_\_.m.
2. You (will/will not) be supervised. The terms set forth in the Rules and Conditions of Probation found in Addendum D shall be the rules you must follow during the period of deferment. \_\_\_\_\_ days in the Mayes County Jail to commence \_\_\_\_\_, 20\_\_, unless the defendant has completed \_\_\_\_\_ hours of Community Service in conformance with Community Service Rules before that date.

SUSPENDED SENTENCE or SUSPENDED AS TO PART

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows:

---

---

---

---

To be suspended as follows:

(a) ALL SUSPENDED YES \_\_\_\_ NO \_\_\_\_

(b) suspended *except* as to the first \_\_\_\_\_ (months)(years) of the term(s) during which time you are to be held in the custody of the Department of Corrections, the remainder of the sentence(s) to be suspended under the terms set forth in the Rules and Conditions of Probation found in Addendum D. \_\_\_\_\_ days to commence \_\_\_\_\_, 20\_\_, unless the defendant has completed \_\_\_\_\_ hours of Community Service in conformance with Community Service Rules before that date.

\_\_\_\_ Said period of incarceration shall be in the custody of the Department of Corrections, to be served in the County Jail, in lieu of the Department of Corrections, pursuant to the Community Service Sentencing Program, 22 O.S. Section 991a - 4.1.

\_\_\_\_ Defendant's term of incarceration shall be calculated as:

\_\_\_\_ Calendar days with credit for good behavior only (57 O.S Section 65)

\_\_\_\_ As calculated by the Sheriff with all implemented and allowable credits allowed by law

2. The sentence(s) to run:

\_\_\_\_ (concurrently/consecutively)

(OR)

\_\_\_\_ NOT APPLICABLE

FINES AND COSTS

You are to pay a fine(s), costs, fees and/or restitution to the Mays County District Court Clerk as set out in Addendum E which is attached and made a part of this Order.

[NOTE ON USE: District Courts may develop and utilize schedules for payment of fines and costs as appropriate for each district and attach as Addendum E.]

COURT CLERK'S DUTY  
[TRIAL JUDGE TO COMPLETE THIS SECTION]

IT IS FURTHER ORDERED that the Clerk of this Court shall register or report the following circumstances in accordance with the applicable statutory authority:

☒ As to Count(s) 1, the defendant is ineligible to register to vote pursuant to Section 4-101 of Title 26.

☐ Pursuant to Section 985.1 of Title 22, the Court departed from the mandatory minimum sentence of imprisonment as to Count(s) \_\_\_\_\_.

☐ As to Count(s) \_\_\_\_\_, the defendant is subject to the Methamphetamine Offender Registry requirements as set forth in Section 2-701 of Title 63.

☐ Defendant is a lawyer and certified copies of this document shall be transmitted to the Chief Justice of the Supreme Court and the General Counsel of the Bar Association within five (5) days as set forth in Rule 7.2 of the Oklahoma Rules of Professional Conduct, 5 O.S.Supp.2014, ch. 1, app. 1-A.

"NOTICE OF RIGHT TO APPEAL"

Sentence to Incarceration, Suspended or Deferred:

To appeal from this conviction, or order deferring sentence, on your plea of guilty, you must file in the District Court Clerk's Office a written Application to Withdraw your Plea of Guilty within ten (10) days from today's date. You must set forth in detail why you are requesting to withdraw your plea. The trial court must hold a hearing and rule upon your Application within thirty (30) days from the date it is filed. If the trial court denies your Application, you have the right to ask the Court of Criminal Appeals to review the District Court's denial by filing a Petition for Writ of Certiorari within ninety (90) days from the date of the denial. Within ten (10) days from the date the application to withdraw plea of guilty is denied, notice of intent to appeal and designation of record must be filed pursuant to Oklahoma Court of Criminal Appeals Rule 4.2(D). If you are indigent, you have the right to be represented on appeal by a court appointed attorney.

Do you understand each of these rights to appeal?

☒ Yes ☐ No

Do you want to remain in the county jail ten (10) days before being taken to the place of confinement?

Yes ☒ No

Have you fully understood the questions that have been asked?

☒ Yes ☐ No

Have your answers been freely and voluntarily given?

☒ Yes ☐ No

I ACKNOWLEDGE UNDERSTANDING OF RIGHTS AND SENTENCE IMPOSED

[Signature]  
DEFENDANT

I, the undersigned attorney, have advised the Defendant of his appellate rights.

[Signature]  
ATTORNEY FOR DEFENDANT

Done in open court, with all parties present, this 18<sup>th</sup> day of APR, 2023  
Beth DeSanto  
Court Reporter Present  
[Signature]  
Deputy Court Clerk  
[Signature]  
JUDGE OF THE DISTRICT COURT  
NAME OF JUDGE TYPED OR PRINTED

ADDENDUM "A"

CERTIFICATE OF DEFENSE COUNSEL

As the attorney for the defendant, Richard Wm. Long, I certify that:

1. The Defendant has stated to me that he/she is (able/unable) to read and understand the attached form, and I have: (check appropriate option)

☒ Determined the Defendant is able to understand the English language.

☐ Determined the Defendant is unable to understand the English language and obtained to interpret.

2. I have read and fully explained to the Defendant the allegations contained in the Information in this case.

3. I have read and fully explained to the Defendant all of the questions in the Plea of Guilty/Summary of Facts and the answers to the questions set out in the Summary of Facts are the Defendant's answers.

4. To the best of my knowledge and belief the statements and declaration made by the Defendant are accurate and true and have been freely and voluntarily made.

Dated this 18<sup>th</sup> day of APR, 2023

[Signature]  
ATTORNEY FOR DEFENDANT

**PLEA OF GUILTY  
ADDENDUM B**

**Crime Statutory Reference:**

(5)	_____	O.S. _____	YES NO
(6)	_____	O.S. _____	YES NO
(7)	_____	O.S. _____	YES NO
(8)	_____	O.S. _____	YES NO
(9)	_____	O.S. _____	YES NO
(10)	_____	O.S. _____	YES NO

**Range of Punishment:**

(5)	Minimum of _____ to a maximum of _____ and/or a fine of \$ _____	YES NO
(6)	Minimum of _____ to a maximum of _____ and/or a fine of \$ _____	YES NO
(7)	Minimum of _____ to a maximum of _____ and/or a fine of \$ _____	YES NO
(8)	Minimum of _____ to a maximum of _____ and/or a fine of \$ _____	YES NO
(9)	Minimum of _____ to a maximum of _____ and/or a fine of \$ _____	YES NO
(10)	Minimum of _____ to a maximum of _____ and/or a fine of \$ _____	YES NO



IN THE DISTRICT COURT OF MAYES COUNTY  
STATE OF OKLAHOMA

STATE OF OKLAHOMA

Plaintiff,

v.

Case No. \_\_\_\_\_

Defendant.

METHAMPHETAMINE OFFENDER REGISTRATION

**Defendant Information**

Last Name:	First Name:	Middle Name:
Address:		
City:	State:	Zip:
Address <input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Other	Phone (Home):	Phone (Cell):
	Email:	Date of Birth:
D.L. #:	D.L. State:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female

**Conviction / Plea**

Offense(s)	Adjudication Date	Length of Sentence	Judge

Notice to Defendant

- This conviction of, or plea to, a methamphetamine-related offense makes you subject to the Oklahoma Methamphetamine Offender Registry Act. (See 63 O.S. §2-701).
- While subject to the Oklahoma Methamphetamine Offender Registry Act, you are prohibited from purchasing, possessing, or having control of any substance containing any amount of pseudoephedrine. A prescription for pseudoephedrine shall not provide an exemption for any person to this law. This is in addition to any other terms, rules or conditions of your sentence, probation, or parole. For more information, consult 63 O.S. §2-701.
- By signing this form, the Defendant attests that the Defendant has read or the information contained herein was read to the Defendant. Further, the Defendant attests that the above information is true and accurate.
- Defendant acknowledges that any change pertaining to information that is provided above must be provided to the Oklahoma Bureau of Narcotics Methamphetamine Registry in writing within thirty (30) days thereof.

Defendant

Attorney for Defendant

Assistant District Attorney

Pardon/Parole Officer & Phone Number

## ADDENDUM E

Name

Richard Long

Date

4/18/23

Case:

CF-21-212

FINE:

100

VCA:

50COSTS: ☒

ASSESSED

☐ WAIVED

Case: \_\_\_\_\_

FINE: \_\_\_\_\_

VCA: \_\_\_\_\_

COSTS: ☐ ASSESSED☐ WAIVED

Case: \_\_\_\_\_

FINE: \_\_\_\_\_

VCA: \_\_\_\_\_

COSTS: ☐ ASSESSED☐ WAIVED

Case: \_\_\_\_\_

FINE: \_\_\_\_\_

VCA: \_\_\_\_\_

COSTS: ☐ ASSESSED☐ WAIVED

**IMPORTANT: READ BEFORE LEAVING THE COURTHOUSE.** Court ordered fines and costs are due at the time of sentencing. If you cannot pay your fines and costs today, you need to report to the Court Clerk's office on the 2<sup>nd</sup> floor of the court house to set up a payment plan.

If you were jailed, you may incur additional court costs at a later date for Costs of Incarceration. Any transcripts of your hearings filed at a later time that the court assesses costs to you will also be your responsibility.

**FAILURE TO MAKE AND FOLLOW PAYMENT ARRANGEMENTS WILL RESULT IN A BENCH WARRANT BEING ISSUED FOR YOUR ARREST AND ASSIGNMENT OF YOUR CASE TO AN OUTSIDE COST ADMINISTRATION COMPANY, INCURRING ADDITIONAL COURT COSTS YOU WILL BE RESPONSIBLE FOR.**

Form Amended 02/23/2011

I, Jenifer Clinton, Court Clerk For Mayes County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Mayes County, Oklahoma.

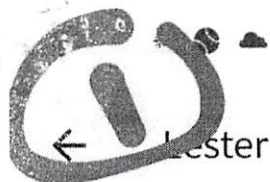
This 19 day of April, 2023

By J. H. H. H. Jenifer Clinton  
Deputy Court Clerk

4/5/24, 1:16 AM

received: 1058971148886236.jpeg

4G LTE 37% 9:09



I GUESS BEEN FEELING LIKE CRAP  
SINCE TUESDAY

9/7/2021, 3:00 PM



I CALLED IN

Ok,, hope you get to feeling better

10/12/2021, 5:28 PM

Did anyone say anything?



No

Good

10/23/2021, 11:27 AM



Hey how are you doing

Doing ok,, bored as hell



That sucks you looking for another

this text was sent the 12...the man first cam



to rae corp oct 7th...it was days afyer Richard left the message

Richard was revoked for  
a crime he did not commit  
on Oct 12, 2021  
as you see these men ~~already~~  
already came Lester testified  
to Aug 24, Aug 26, 2021

Side note

4G LTE 36% 9:11



10/23/2021, 11:27 AM



Hey how are you doing

Doing ok,, bored as hell



That sucks you looking for another  
job or have you talked to Eric yet

Looking a little,, haven't talked to  
nobody, nobody answers



Wonder why

I even emailed Jr and he ain't said  
anything either



What would happen if you just went  
out there and talked to him

I don't know,, I guess I could try that



Send message





4G LTE 36% 9:12

3

I don't know,, I guess I could try that

L

Ok good luck

10/25/2021, 5:37 PM

I guess the word is I loaded the bin in his truck is why I got fired and I heard I'm getting charges filed,, damn I should have listened to my gut feeling,, nobody answers me back so I guess I'm fkd,, I don't know the guy,, never seen him before,, he told both of us he had permission by Erik and Jerry ,,

That's the story I hear

L

Tell them that and the gate was left open

I would if anyone would talk to me

L

Come in and talk to them or talk to a lawyer and tell him what happened



Send message







Lest



They should

2/2/2022, 7:34 AM

L

Hope so

Yep,, I hope so,,

2/2/22, 7:35AM ✓✓

8/25/2022, 3:15 PM

Hey there, sorry to bother you or ask but could you come to court at 2 tomorrow so I have someone to say something about this crap, Matt and James were both subpoenaed by the da, company people that are both crooked lying ass mfs

9/7/2022, 6:32 PM

We need to talk

L

What's going on I'm sorry I haven't talked to you but I've been feeling bad for a few weeks now



Send message





Lester



L

What's going on I'm sorry I haven't talked to you but I've been feeling bad for a few weeks now

I need to come talk to you

Rae is lying and is withholding evidence

Only you can prove that, I'm going to my lawyers office in 2 weeks to watch "the only video of me and marks working together"

They are saying I was working with marks and knew marks they swear the second time marks showed up was actually the first time he showed and I let him in intending to steel copper

L

You want me to go to your lawyer office with you

I need someone to tell the truth, I f I can prove they are withholding evidence I can sue Rae after it's over, you were there when he showed



Send message





\*  
Lest



I need someone to tell the truth, I  
f I can prove they are withholding  
evidence I can sue Rae after it's over,  
you were there when he showed  
up and you and I discussed if he  
was for real Rae is saying that never  
happened

James lied on the stand

Only you can prove it

This is why I need to talk to u in  
person, can Sheryl and I come by  
and talk to you tonight?

L

We're staying over here at Sapulpa  
Donna's dad not doing to good let  
me know when to meet you at your  
lawyer office and I'll go with you and  
talk to him about it

Okay

That would be great

Sept 22 at 230 pm



Send message





Lest



lawyer office and I'll go with you and  
talk to him about it

Okay

That would be great

Sept 22 at 230 pm



Let me know when and where he's  
located

400 S Muskogee Ave, Claremore, OK  
74017



Ok thanks

Thank you

9/17/2022, 11:35 AM

My lawyer changed the day, it's the  
27th at 10:30am



Send message



Lester

My lawyer changed the day, it's the 27th at 10:30am

L

Ok thanks

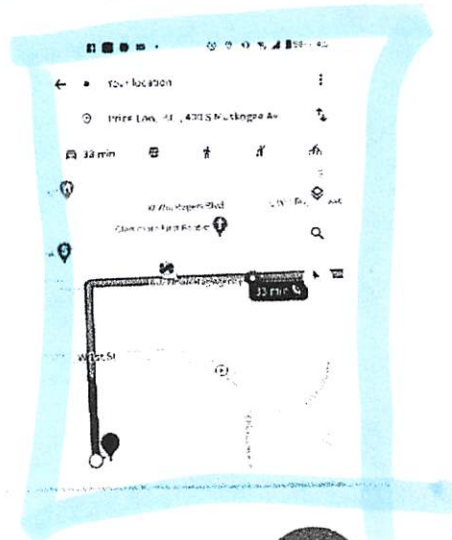
9/26/2022, 4:08 PM

You going to be able and meet at my lawyers office tomorrow morning? I hope you will

L

Planning on it where's that Muskogee street located

The 2nd one after the police station going west turn south, I think.



Send message





EXLR 4/16/23



The 2nd road west of the railroad tracks I think

L Ok thanks

9/27/2022, 10:18 AM

L Hey I'm here I think

I'm bout there

L Ok  
ester

5 days ago, 11:48 AM

How you doing? Not good here,, will you come to court with me, I need some help, they are trying to bury me

Sat 11:48AM ✓✓

Richard

L I thought I had to be subpoena to



Send message



33% 9:19



L

I thought I had to be subpoena to  
testify but what day is it what time  
and what courthouse

No you don't have to be, you've  
done talked to my lawyer your listed  
as a witness

Sat 1:10PM ✓

L

So what about the rest of the text

Monday the 17th at 930 , Mayes  
county courthouse, my attorney was  
supposed to call you, he's not doing  
a very good job for me

L

Ok I'll be there

Ok, thank you

3 days ago, 2:03 PM

I want James's last name

Mon 2:03PM ✓



Send message





My wife was very upset  
I allowed Jeff to push me  
into Pleading. I felt I  
had no choice if my own  
lawyer was going to  
stand by and watch me  
go down for a crime  
or crimes I did  
not commit

R

R

R

i love you sheryl long

↓

⊕





34% 9:15

that though

L

Ok I'll let you get some sleep

12/11/2021, 5:17 PM

They're pressing charges against me  
they put a warrant out for me the  
9th December

12/11/21, 5:17PM ✓✓

L

Damn I'm sorry guess I'll be next  
wonder if they filled against them  
other guys

I'm telling them his fkn name

12/11/21, 5:23PM ✓✓

L

How did you find out they filed  
charges against you

Jason said he heard they put a  
warrant out for me so I looked it up  
and sure enough they did Friday or  
Thursday Thursday they put it out

12/11/21, 5:28PM ✓✓



Send message





4G LTE 34% 9:15

7  
Lester

Jason said he heard they put a warrant out for me so I looked it up and sure enough they did Friday or Thursday Thursday they put it out

12/11/21, 5:28PM ✓✓

Guess I'll go find me a lawyer Monday and see what I can do we should be able to sue them for slander since we didn't have anything to do with them coming out there

I am pissed,, they wouldn't even talk to me about this crap,, I'm a felon so they're really after me

12/11/21, 5:44PM ✓✓

R u talking about rae or the police?

Rae

12/11/21, 5:50PM ✓✓

This is bullshit. Do u have a lawyer yet?



Send message





ester

L

This is bullshit. Do u have a lawyer yet?

My wife is working on it,, I just found out,, stopped by Jason's on my way to work and heard about, so I looked it up,

12/11/21, 5:53PM ✓✓

L

Well hopefully a lawyer will help us beat rae

I'm going to try and go them over,, this is bs

12/11/21, 5:55PM ✓✓

L

This has all been bullshit. They need to be sued. For slander also

Yep,,

I agree

12/11/21, 5:59PM ✓✓



Send message



4G LTE 34% 9:16



Go for it

2/1/2022, 7:46 PM



Hey I'm not going to be able to go  
to rae with you I'm still trying to get  
over this covid give that information  
to your lawyer

That's fine,, I told my wife I was  
going to talk to you about it,, guess  
she did it,,lol,, I think I will talk to  
my lawyer before I talk to Eric or Jr .  
Neither one of them ever answered  
me back and I told Eric the same  
exact thing that other guy said that  
he was told

2/1/22, 7:49PM ✓✓



Your lawyer might get them to drop  
charge

They should

2/2/2022, 7:34 AM



Send message



Jeff  
Price could  
have got this  
dismissed from  
the start then  
never asking anyone  
where this missing  
10/7/21 day is?



4G LTE 78% 1:36



## Reason



Me

to JERRYJR@rae-corp.com



10/14/2021, 2:09 PM

Sir, I was fired by James for being on my phone, not wearing seatbelt on the forklift, and workmanship is the reasons he said,, I was never wrote up for anything, I've heard there was more to it than that. I never stole anything , I've gotten scrap lumber a few times but nothing else, and I've told Matt when I see lumber laying around that I take. I never intentionally took anything that nobody knew about.

*E I Sulcher*

Thank you, Richard

Sent from Yahoo Mail on Android

*To James Sulcher  
Owner RAE Corp*



Delete



Archive



Move



Reply



More





4G LTE 78% 1:35

# ← Wasn't intentional



Me

to jerrys@rae-corp.com &amp; 2 more

10/26/2021, 12:56 AM

E2 Salcher  
Email

I didn't intentionally steal anything,, yes I helped a guy from Indian services I believe is who he said he was with,, he told me and Lester he had talked to Erik and Jerry about getting the scrap,, he came on the day of Mr. Swanks memorial but didn't bother anyone, he came in the east door and started telling me what he did and what he was getting,, Lester stopped and listened and talked to him also, he said he remembers seeing him out there getting scrap before,, so yes I helped him,, he told me this is how the guy on dayshift does it so I assumed it was legit, I told Lester I felt bad after it was over and I was thinking about how to tell you, I had never seen the guy before,, he gave us some knives and copper bracelets that he said he makes out of the scrap,, but I didn't intentionally steal anything, I feel like a fool for being helpful. I'm sorry I did it and I wish I would've said I can't and tell him he'd have to come back in the daytime,,

Thank you, Richard Long

Sent from Yahoo Mail on Android

Lester Swearingin  
was Fired right before  
5pm on 10/26/21  
stating in his testimony  
04/17/23 he was Fired  
for taking copper



Delete



Archive



Move



Reply all



More

EXRL 102621  
Lester Fired

4  
Lester

L

Come in and talk to them or talk to a lawyer and tell him what happened

Ok,,

What is Erik's email so I know I'm sending it to the right one

L

Should be Erik swanky I don't have the address page

10/26/2021, 4:55 PM

L

I'm fired to

Do what?

What the hell

11/1/2021, 5:22 PM

Dustin said Dallas got fired and they got rid of night shift



Send message







INDEXWITNESS:PAGE:**JAMES SURINE**

DIRECT EXAMINATION BY MR. KYLE LONG	7
CROSS-EXAMINATION BY MR. PRICE	24
REDIRECT EXAMINATION BY MR. KYLE LONG	33

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**E X H I B I T S**NO.DESCRIPTIONADMITTED

STATE'S EX. 1	DVD	15
STATE'S EX. 2	JUDGMENT AND SENTENCE	37
STATE'S EX. 3	JUDGMENT AND SENTENCE	37
STATE'S EX. 4	JUDGMENT AND SENTENCE	37
STATE'S EX. 5	JUDGMENT AND SENTENCE	37
STATE'S EX. 6	JUDGMENT AND SENTENCE	37

P R O C E E D I N G S

(The following proceedings were had in open court on August 26, 2022, parties present with and/or through counsel:)

THE COURT: All right. We'll be on the record. State of Oklahoma versus Richard William Long, CF-21-212 as well as CF-16-251. Mr. Long is present out of custody with his attorney Jeffrey Price. State of Oklahoma is represented by Kyle Long. This case, CF-21-212, comes on today for preliminary hearing. And the CF-16-251 case comes on today for a motion to revoke hearing.

Mr. Long, is the State ready?

MR. KYLE LONG: It is. I do have a couple preliminary matters, but other than that --

THE COURT: All right. Yes, sir.

MR. KYLE LONG: All right. So the first one is on the CF-2021 case, as to Count 2, the State would move to dismiss that costs to State after reviewing the discovery and meeting with the witnesses.

THE COURT: All right. Upon motion of the State, Count 2 is dismissed costs to State at this time.

MR. KYLE LONG: And in regards to the 2016 case, I think it's just to trail. I don't think it's actually set for hearing.

MR. PRICE: I have no objection to that.

1 MR. KYLE LONG: At least upon reviewing the court  
2 minute. I'm ready to go either way. It was just my  
3 understanding from the court minute that it was -- I think  
4 just asked to trail.

5 THE COURT: All right. So you're just wanting it  
6 to trail?

7 MR. KYLE LONG: I would prefer it go today, but  
8 I -- I just wanted to be candor to the Court. I think --  
9 or at least ODCR just shows it to trail today.

10 THE COURT: All right. So, Mr. Price, are you  
11 ready to go on the CF-16 case today?

12 MR. PRICE: Well, I'll tell you, Judge, I  
13 should've acquired the video footage, and so actually I  
14 would prefer not to have that today.

15 THE COURT: Okay. All right. And then -- but  
16 you are ready to proceed on the CF-21-212?

17 MR. PRICE: The preliminary hearing, Your Honor.

18 THE COURT: Okay. All right. Then we'll show  
19 the CF-16-251 will trail if the Defendant is bound over as  
20 to the remaining Count 1.

21 Now, counsel, as to another preliminary matter,  
22 it looks like in looking at the previous court minutes  
23 that I previously represented, when I was a public  
24 defender in an old felony case, CF-12-13, that I  
25 represented Mr. Long. It does not appear that Mr. Long

1 has previously waived any potential conflict on my part to  
2 allow me to be his judge here today.

3 Mr. Price, would you like an opportunity to talk  
4 to your client to see if he wishes to waive that potential  
5 conflict or not?

6 MR. PRICE: Judge, I have visited him about that  
7 matter and you did let us know that at a previous court  
8 setting, and we are going to go ahead and waive that.

9 THE COURT: All right. Mr. Long, sir, if you  
10 would please stand for me real quickly and raise your  
11 right hand. Do you promise to tell the truth, the whole  
12 truth, and nothing but the truth, so help you God?

13 THE DEFENDANT: I do.

14 THE COURT: All right. Thank you, sir. You may  
15 put your hand down. Are you under the influence of any  
16 kinds of drugs, alcohol, prescribed medication, anything  
17 that would affect your thinking here today?

18 THE DEFENDANT: No, ma'am.

19 THE COURT: Is there any medication that you  
20 should be taking, but are not?

21 THE DEFENDANT: No, ma'am.

22 THE COURT: And have you ever been diagnosed with  
23 any mental disease or disorder?

24 THE DEFENDANT: No, ma'am.

25 THE COURT: And, sir, you understand that because



1 I've previously represented you in an old felony case,  
2 that you would have the right to have a different judge  
3 handle the preliminary hearing today in your new case. Do  
4 you understand that?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: All right. Your attorney announces  
7 that you would like to waive any conflict on my part and  
8 allow me to be your judge today. Is that what you would  
9 like to do today?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: Has anyone forced, coerced,  
12 mistreated you, or promised you anything of benefit to get  
13 you to waive that conflict?

14 THE DEFENDANT: No, ma'am.

15 THE COURT: Then I find that you're a competent  
16 person. That you have knowingly and voluntarily waived  
17 any conflict on my part.

18 State waive as well?

19 MR. KYLE LONG: It does.

20 THE COURT: All right. Thank you, sir. You may  
21 be seated.

22 All right. Any other preliminary matters we need  
23 to address at this time, Mr. Long?

24 MR. KYLE LONG: No, Your Honor.

25 THE COURT: Mr. Price?

1 MR. PRICE: No, Your Honor.

2 THE COURT: All right. You may call your first  
3 witness.

4 MR. KYLE LONG: Your Honor, the State would call  
5 James Surine.

6 THE COURT: Sir, if you would please raise your  
7 right hand for me. Do you swear to tell the truth, the  
8 whole truth, and nothing but the truth, so help you God?

9 THE WITNESS: Yes, I do.

10 **JAMES SURINE,**  
11 having first been duly sworn, was examined and testified  
12 as follows:

13 THE COURT: All right. Thank you, sir. Would  
14 you please state your full name for the record?

15 THE WITNESS: James Michael Surine.

16 THE COURT: All right. And, sir, would you  
17 please spell your last name for me?

18 THE WITNESS: S-U-R-I-N-E.

19 THE COURT: All right. Thank you, sir.  
20 You may proceed whenever you're ready.

21 MR. KYLE LONG: Thank you, Your Honor.

22 **DIRECT EXAMINATION**

23 **BY MR. KYLE LONG:**

24 Q. Mr. Surine, how are you employed?

25 A. With RAE Corporation.

1 Q. And what exactly is RAE Corporation?

2 A. It's a -- we build refrigeration and  
3 air-conditioning equipment for industrial use.

4 Q. All right. And does RAE Corporation have a  
5 facility here in Mayes County?

6 A. Yes.

7 Q. And where is that located at?

8 A. 4492 Hunt Street, Industrial Park.

9 Q. And what city is that located in?

10 A. Pryor.

11 Q. And is your office at that facility?

12 A. Yes.

13 Q. And what are your day-to-day job duties in your  
14 capacity with RAE Corporation?

15 A. I'm currently the plant manager over all of the  
16 production.

17 Q. And what -- what do you do in your capacity as a  
18 plant manager? And I understand it varies from  
19 day-to-day, but typically what are your job duties?

20 A. Responsible for several people that build our  
21 product in different departments.

22 Q. And is one of your job duties overseeing  
23 employees of RAE Corp?

24 A. Yes.

25 Q. And approximately how many employees do you

1 oversee?

2 A. 200 plus.

3 Q. And, sir, is also one of your job duties  
4 overseeing inventory?

5 A. Yes.

6 Q. And what do you do in that regard as far as  
7 overseeing inventory?

8 A. Well, all of those 200 people are responsible for  
9 all of the product that comes in that we purchase, that we  
10 make, just in general. Every department is a little  
11 different, but that's kind of the gist of it.

12 Q. And does RAE Corporation have some type of  
13 surveillance system that would observe or catch all of the  
14 happenings that took place inside and outside that  
15 facility?

16 A. Correct. Yes.

17 Q. And do you know how many cameras RAE Corp has  
18 equipped in its building?

19 A. Oh my gosh, I'd say it could be a hundred.

20 Q. Okay. And have you ever had an occasion to have  
21 to review surveillance footage from RAE Corporation?

22 A. Yes.

23 Q. And so is there a system that sits there and  
24 records this and then you could play it back and review  
25 it?



1 A. Yes, there is.

2 Q. And do you have control over that system?

3 A. Yes.

4 Q. And I would like to direct your attention to  
5 October 12th, 2021. Do you have that date in mind?

6 A. Yes.

7 Q. And on that date, to your knowledge, was that  
8 system working in accordance with how it should? Was it  
9 functioning properly?

10 A. Yes.

11 Q. And would you please explain to the Court whether  
12 or not that system has a way of tracking the date and time  
13 of what it records?

14 A. Yes, it does.

15 Q. And what does it -- how does it do that, or what  
16 does it do to reflect the date and time?

17 A. It's got a date stamp of the time just on -- just  
18 on the whole system.

19 Q. And on the 12th day of October 2021, to your  
20 knowledge, was that date stamp and that time stamp  
21 accurate?

22 A. Yes.

23 Q. Sir, during that same time frame, did you have an  
24 employee by the name of Richard Long?

25 A. Yes.

1 Q. And do you see Richard Long in the courtroom here  
2 today?

3 A. Yes.

4 Q. Would you please describe where Mr. Long is  
5 seated at and describe what he's wearing?

6 A. He's sitting at this table and has a champs black  
7 shirt on.

8 MR. KYLE LONG: Your Honor, the State would ask  
9 for the identification of the Defendant by this witness.

10 THE COURT: Any objection?

11 MR. PRICE: No, Your Honor.

12 THE COURT: Let the record reflect that the  
13 Defendant has been identified.

14 Q. (By Mr. Kyle Long) And sticking with that same  
15 time frame, on that 12th day of October, 2021, on that  
16 date or near that date, did you become aware of a  
17 situation involving some property being removed from RAE  
18 Corp?

19 A. Yes.

20 Q. Who made you aware of that incident or that  
21 situation?

22 A. Well, this -- this computer system -- actually we  
23 get a report every day that lists any activity after  
24 hours, and we're sent that information for us to review  
25 just to see what that activity is. Cara Davenport is the

1 one that actually gets that e-mail notification.

2 Q. And is Ms. Davenport an employee at RAE Corp?

3 A. Yes.

4 Q. And is Ms. Davenport, in fact, the one who  
5 notified you of some property that was removed from the  
6 facility?

7 A. Yes, that's correct.

8 Q. And after being made aware of that by  
9 Ms. Davenport, did you have an occasion to review the  
10 surveillance?

11 A. Yes.

12 Q. And when did you do that?

13 A. Just immediately when she saw it and figured it  
14 out.

15 Q. And what did you observe on that footage?

16 MR. PRICE: Objection, Your Honor. The best  
17 evidence would be the video footage.

18 THE COURT: Sustained.

19 MR. KYLE LONG: I've got it right --

20 THE COURT: All right.

21 MR. KYLE LONG: May I approach the witness?

22 THE COURT: Yes, sir.

23 Q. (By Mr. Kyle Long) Sir, I'm about to hand you  
24 what's been marked as State's Exhibit No. 1, would you  
25 take an opportunity to look at the exhibit and tell me if

1 you recognize what that exhibit is?

2 A. Yes.

3 Q. And what is that exhibit?

4 A. That is the downloaded file of the incidents on  
5 the dates that you said on 10 -- what was it that you  
6 said? 10/21?

7 Q. October 12th?

8 A. Yes.

9 Q. And would that video capture the event that we're  
10 here for today that the Court addressed?

11 A. Correct. Multiple -- multiple cameras, multiple  
12 shots of this situation.

13 Q. And did you have an occasion to review that video  
14 with myself this afternoon?

15 A. Yes.

16 Q. And did you -- after reviewing that video, did  
17 you do anything to indicate that you did, in fact, review  
18 that video?

19 A. Say that again. I'm sorry.

20 Q. I apologize. After having an opportunity to  
21 review the video, did you do anything to document that you  
22 reviewed that video?

23 A. I initialed and dated it today. Is that what  
24 you're asking?

25 Q. Yes, sir.



1 A. Yes.

2 Q. Okay. And so that was after viewing the video?

3 A. That's correct.

4 Q. And the footage that you viewed today, is that  
5 the same footage that you viewed on or about the 12th day  
6 of October, 2021?

7 A. Yes.

8 Q. And everything that you reviewed today would've  
9 been similar or the same that you reviewed on that same  
10 day?

11 A. Same thing we reviewed, yes.

12 Q. Okay.

13 MR. KYLE LONG: Your Honor, the State would move  
14 for the introduction of State's Exhibit No. 1.

15 THE COURT: Any objection?

16 MR. PRICE: No, Judge.

17 And you're not going to play it during the actual  
18 hearing though?

19 THE COURT: No. I usually take it in afterwards.

20 MR. KYLE LONG: Yeah. I mean, it's four or five  
21 different videos. Some of them are over 50 minutes long  
22 and so --

23 THE COURT: Okay. So --

24 MR. PRICE: Well, I think it's admissible, Your  
25 Honor. I wouldn't objection to the admissibility.

1 THE COURT: All right. Then we'll show State's  
2 Exhibit No. 1 will be admitted as evidence.

3 Q. (By Mr. Kyle Long) And, again, sir, you have had  
4 the opportunity on at least two occasions to view the  
5 surveillance footage; is that a fair statement?

6 A. That is fair, yes.

7 Q. Okay. And what did you observe after reviewing  
8 that footage?

9 A. You want the details of what I viewed?

10 Q. Yes, sir.

11 A. Well, obviously --

12 MR. PRICE: I renew my best evidence objection,  
13 Your Honor.

14 THE COURT: I'll overrule at this time. State's  
15 Exhibit No. 1 has been admitted into evidence.

16 MR. KYLE LONG: Please continue.

17 THE COURT: You may answer the question.

18 THE WITNESS: Okay. Well, obviously, we got an  
19 e-mail saying that there was activity. We reviewed it.  
20 We went and researched all of the videos. And basically,  
21 to summarize what we saw, in that was Richard in the  
22 lunchroom making a phone call.

23 Q. (By Mr. Kyle Long) And I'm going to stop you  
24 right there. You said Richard, are you referring to  
25 Mr. Long that you previously identified?

1 A. Yes, Richard Long.

2 Q. All right. And you indicated that you observed  
3 him in the lunchroom making a phone call.

4 A. When reviewing all of these videos to do our own  
5 personal in-house investigation, we went back and just  
6 searched every camera to piece the whole process together  
7 to identify that Richard Long -- what -- what he had done  
8 in the process. So --

9 Q. And when do you first observe Mr. Long on video  
10 as it relates to the events on October 12th, 2021?

11 MR. PRICE: Judge, I understand your ruling.  
12 Could you allow me to have a running objection to his  
13 interpretation of what he saw from the evidence on the  
14 grounds --

15 THE COURT: Yes, sir. So noted.

16 THE WITNESS: So ask me that again. I'm sorry.

17 Q. (By Mr. Kyle Long) At what point -- when you were  
18 watching the footage, when do you first observe Mr. Long?

19 A. The exact time?

20 Q. No. Like, where is he at in the facility?

21 A. He was in the department that he works in, the  
22 sheet metal shop. And when -- so on these videos that's  
23 sent to us in the backyard, it -- it takes a screenshot of  
24 activity going on. So in order to investigate why -- what  
25 was happening out there, we had to go play back the videos

1 to figure out who it was, what they was doing, the whole  
2 details of the whole process.

3 Q. And as far as letting the -- I guess my line of  
4 questioning would be: From when the incident first takes  
5 place, where do you first observe Mr. Long on that video?

6 A. Well, we went back to the beginning of the  
7 process of where it started, which is Richard Long in the  
8 lunchroom on his cell phone calling somebody. The  
9 assumption is --

10 Q. I'm not asking you to assume. You observed him  
11 on a cell phone; is that --

12 A. Yes.

13 Q. Okay. And is he -- does ever hang up the cell  
14 phone while he's in the lunchroom?

15 A. No.

16 Q. Okay. Does he go to a different room?

17 A. He went to the shop. He went to the forklift.  
18 He got the gate --

19 Q. Okay. And I'm going to stop you right there.  
20 The shop, where is it at in relationship to the lunchroom?

21 A. It's right outside the door.

22 Q. Okay. So right next door?

23 A. The lunchroom is in the sheet metal shop.

24 Q. And as he's in the shop, is Mr. Long still on the  
25 telephone?



1 A. Yes.

2 Q. Again, I'm not asking you to spectate what he's  
3 doing or who he's speaking with, what is he doing as he's  
4 in the shop?

5 A. He's on that cell phone.

6 Q. Okay. Is he doing anything else while he's on  
7 the cell phone?

8 A. He's just initially on the cell phone. He's  
9 headed to a forklift.

10 Q. Okay. And does he arrive at a forklift?

11 A. Yes.

12 Q. Is that forklift in that shop building?

13 A. Yes.

14 Q. Does he hang up the phone before he gets on the  
15 forklift?

16 A. No.

17 Q. And so at some point does he get on the forklift?

18 A. No.

19 Q. What's he do after he approaches the forklift?

20 A. He takes the gate opener off the forklift. He's  
21 still on the cell phone.

22 Q. Okay. And does he do anything with the gate  
23 opener?

24 A. He's walking towards the -- the east end of the  
25 shop on the cell phone.

1 Q. So this gate opener, is it a potable gate opener  
2 or a hand-held gate opener?

3 A. It's like a remote control that opens your garage  
4 door at home for example.

5 Q. And I apologize. You may have already answered  
6 this. After Mr. Long grabs the gate opener, what does he  
7 do next or where does he head next?

8 A. He's headed to the east end of the building.  
9 He's on his cell phone. He ends up walking out the main  
10 door and going out the backyard.

11 Q. Do you see him on the outside of the facility or  
12 on the outside of the building?

13 A. Yes.

14 Q. Is he still on his cell phone?

15 A. Yes.

16 Q. What's he do as he walks outside of the building?

17 A. At some point he -- the gate opens and the truck  
18 and trailer pulls up in the backyard.

19 Q. And approximately how much time lapsed from the  
20 time Mr. Long leaves the break room and this truck  
21 arrives?

22 A. Ten to fifteen minutes.

23 Q. So there's a period of time in between?

24 A. Yes. I mean, I don't know exactly, but it's --

25 Q. Okay. And when the truck arrives, can you tell

1 where Mr. Long is at?

2 A. Yes.

3 Q. Where is he at?

4 A. He's -- he's in the backyard as they were coming  
5 in the gate.

6 Q. Okay. And can you see if Mr. Long is on a cell  
7 phone or any other type of cellular device?

8 A. You can see him out in the backyard on the cell  
9 phone until the gate comes open and they start in.

10 Q. Okay. And at some point do you see Mr. Long put  
11 up the cell phone or hang up the phone?

12 A. It's not up to his ear, so...

13 Q. And you said that the gate opens and the vehicle  
14 begins entering the premises. Do you ever observe what  
15 that vehicle does?

16 A. Yes. It pulls into the backyard.

17 Q. Okay. And does it ever come to park at any place  
18 in the back yard?

19 A. Yes.

20 Q. Where at?

21 A. It parks in front of the scrap Yaffe dumpsters.

22 Q. And what -- what are the scrap Yaffe dumpsters?

23 A. Yaffe is our scrap vendor. They provide a --  
24 it's a metal bucket that has lids on it. It's probably  
25 four feet wide, six feet long, and probably four foot tall

1 roughly -- four and a half foot tall.

2 Q. And is anything stored in these Yaffe scrap bins?

3 A. Yeah. We create a lot of copper scrap, a lot of  
4 aluminum scrap, stainless steel scrap, and most of these  
5 buckets are copper and aluminum scrap.

6 Q. Okay. And how many Yaffe bins were next to the  
7 vehicle?

8 A. We have approximately 16 roughly -- of these  
9 buckets.

10 Q. Okay. And as you see the vehicle pull up to  
11 these Yaffe scrap bins, what happens next?

12 A. Well, the trailer actually has a Yaffe bucket on  
13 it. And the next thing you see is Richard getting the  
14 forklift and unloading the Yaffe bucket that's on the  
15 trailer and then loads a new Yaffe bucket on the trailer.

16 Q. And the new Yaffe bucket that is loaded on the  
17 trailer, are you aware of what the contents of that bucket  
18 is?

19 A. Copper.

20 Q. Okay. And do you know how much copper is in that  
21 bucket?

22 A. Weight-wise I don't know exactly the weight, but  
23 on average it's 7 to 10 thousand dollars per bucket -- the  
24 scrap value.

25 Q. And so on this date, in that bucket, would it

1 have been approximately 7 to 10 thousand dollars worth of  
2 copper in that bucket?

3 A. Yes. Every scrap bucket that we fill, typically,  
4 is in that range.

5 Q. And would that bucket been near full on that  
6 date?

7 A. Yes.

8 Q. You indicated that Mr. Long got in the forklift,  
9 placed the Yaffe bucket on top of the trailer. What  
10 happens next?

11 A. There was a couple of guys in the truck. They  
12 was out. They was going through the other Yaffe buckets  
13 throwing all of the loose copper they could possibly get  
14 in the back of the truck, on the trailer, just rummaging  
15 through everything in the back yard to load up what they  
16 could get loaded.

17 Q. And at some point does the trailer leave?

18 A. Yes.

19 Q. And what does Mr. Long do after the trailer  
20 leaves?

21 A. He shuts the gate behind them.

22 Q. And approximately how long is that truck and  
23 trailer there?

24 A. Quite some time. I don't know exactly.

25 Q. And is Mr. Long outside near that truck and



1 trailer the entire time it's there?

2 A. He's outside with them the whole entire time.

3 Q. Sir, do you recall, after reviewing the  
4 surveillance video, approximately what time of day this  
5 took place?

6 A. It was 10:00 in the evening.

7 Q. And do you know what day of the week this took  
8 place?

9 A. It was a Sunday.

10 Q. And you indicated you oversee inventory, and you  
11 also sound like you're knowledgeable with removal of stuff  
12 like that. Typically, when are pickups for those types of  
13 materials?

14 A. Typically, when we got ten buckets, we call them  
15 and schedule pickup. Our shipping and receiving hours are  
16 between 7:00 and 4:30. So, typically, we do three loads a  
17 month of this scrap. I mean, we generate quite a bit of  
18 scrap material.

19 Q. Okay. And you say, typically, pickup is between  
20 7:00 and 4:30. Is that 7:00 a.m.?

21 A. 7:00 a.m. to 4:30 p.m. That's our shipping  
22 receiving hours.

23 Q. And do you have shipping receiving hours every  
24 day of the week?

25 A. Monday through Friday.

1 Q. And at any point, that you're aware of, was  
2 this -- the individuals of this truck and trailer allowed  
3 permission to take that property?

4 MR. PRICE: Objection. I think it calls for  
5 hearsay.

6 THE WITNESS: No.

7 THE COURT: Hold on. Just give me one second.

8 THE WITNESS: Oh, I'm sorry.

9 THE COURT: No, you're okay. All right. Your  
10 response, Mr. Long?

11 MR. KYLE LONG: I'll withdraw it.

12 THE COURT: Okay. You may rephrase.

13 Q. (By Mr. Kyle Long) Was Mr. Long ever given  
14 permission to place that property onto that pickup truck?

15 A. No.

16 Q. Thank you, sir.

17 MR. KYLE LONG: I don't have any further  
18 questions. I'd pass this witness.

19 THE COURT: All right. Thank you. You may  
20 proceed whenever you're ready, Mr. Price.

21 **CROSS-EXAMINATION**

22 **BY MR. PRICE:**

23 Q. Sir, you can only speak, can't you, to what  
24 permission that you might have given to my client; isn't  
25 that correct?

1 A. I would say, yes.

2 Q. So in your last statement, that he wasn't given  
3 permission, as far as what that really means is that you  
4 did not give him permission; is that correct?

5 A. I guess. You could say that. I personally  
6 didn't give him permission.

7 Q. Did you ever attempt to identify the other  
8 individuals? The ones who drove the truck into the gated  
9 area?

10 A. Yes.

11 Q. Were you successful?

12 A. Yes.

13 Q. And who did you determine that to be?

14 A. I don't have that information with me.

15 Q. Okay. Were those other people, people that  
16 worked there?

17 A. No.

18 Q. Okay. And did you see my client depress the  
19 button on that gate opener?

20 A. Did I see him press the button?

21 Q. Yes.

22 A. He had the gate opener with him.

23 Q. Was there -- did you see him press the button?

24 A. Well, I guess I didn't see him press the button.

25 Q. Is there a manual opening method that can be

1 employed to open the gate? Is there a button somewhere on  
2 the wall or something like that?

3 A. No.

4 Q. Does it require a hand-held gate opener?

5 A. There is -- inside the building, there is a  
6 wired -- a hardwired control that can open it.

7 Q. Okay. So the gate opened and you had seen him --  
8 let me ask you a different question. You said that he got  
9 the gate opener from the forklift. Did you see the gate  
10 opener in his hand?

11 A. Yes.

12 Q. Okay. And then, as I understand it, some time  
13 passed before the people came in with the truck and  
14 trailer, and do you know how long that was?

15 A. Like I said before, 10 to 15 minutes. As he was  
16 on the phone walking out there --

17 Q. Okay. Did you see where Mr. Long was when the  
18 gate opened?

19 A. Yes.

20 Q. And where was he?

21 A. Just out in the backyard just outside the gate.

22 Q. Okay. And did he ever operate the truck -- the  
23 truck that was there to load up things?

24 A. No.

25 Q. Okay. Now, is it true that the bins of metals

1 would be mixed metals? They wouldn't just -- it  
2 depends -- none of them would only have copper, for  
3 instance?

4 A. The copper buckets would only have copper.

5 Q. Okay. And what -- do you have any documentation  
6 that could identify what item -- what bucket was taken,  
7 and the weight, and contents thereof? Is there any paper  
8 trail that might help prove that?

9 A. That particular bucket -- I mean, in the video  
10 you may see the bucket number on it, but that bucket  
11 wasn't scheduled to be loaded to ship out. At that  
12 point -- once they're ready to go -- once we actually  
13 weigh them, log them, you know, when we're officially  
14 shipping them to Yaffe, but at that point that stuff  
15 wasn't ready to go.

16 Q. And so is there some way that you can really  
17 prove what was in that bucket that was taken?

18 A. Just what the average copper bucket weight is.

19 Q. Can you prove that it was only copper in the  
20 bucket?

21 A. Well, just history is -- because of the cost of  
22 copper -- I mean, copper is the only thing that we put  
23 buckets. Aluminum, we only put in aluminum. It's a lot  
24 less value. And basically everything else that was being  
25 thrown in the truck was copper.



1 Q. Okay. And how can you know that? That -- that  
2 items being thrown in the --

3 A. You can see it in the video.

4 Q. Okay. Is the video in color?

5 A. The video is black and white, but you -- it's  
6 copper based on what the product is. I mean, copper is  
7 copper tubing. Aluminum is flat sheet. Like, a roll of  
8 aluminum foil, you can visually see what the different  
9 product is in the video.

10 Q. Okay. And could you see the contents of the  
11 entire bucket that was loaded and taken?

12 A. Well, it's copper. Can I see it? I mean, I know  
13 what the buckets are, and what's in them.

14 Q. Well, when's the last time that you inspected  
15 that bucket that was taken?

16 A. Me personally? I didn't inspect the bucket.

17 Q. Okay. So you have general familiarity with the  
18 operation concerning what goes in the buckets?

19 A. Yes.

20 Q. But you don't, yourself, ever go and confirm  
21 whether that general operation is actually carried out?

22 A. That's not true. I mean, I'm familiar with the  
23 buckets. I'm familiar with the process. I'm familiar  
24 with the costs. You set the trucks up. You know, you  
25 deal with it every week. So I'm very familiar with it.

1 Q. Okay. So do you arrange for the company to come  
2 pick up these buckets?

3 A. Yes.

4 Q. And what did you see Mr. Long do, as far as  
5 loading the materials?

6 A. He got out of the forklift. He unloaded the  
7 empty one that they brought back, which means they've took  
8 it before. He loaded up a new one, and him and these two  
9 guys just loaded as much stuff up in the truck as they  
10 could get within the time frame that they thought they had  
11 to get it done and to get out of there. That's what I  
12 saw.

13 Q. Now, he didn't get out of there as I understand  
14 it. He stayed --

15 A. No, he stayed to work.

16 Q. So was he on his lunch break? Do you happen to  
17 know that?

18 A. No.

19 Q. Did you all question Mr. Long about any of this?

20 A. No.

21 Q. To your knowledge, did the police question  
22 Mr. Long about any of this?

23 A. I assume. I don't know. We reported the  
24 incident to the police and filed a report.

25 Q. Now, what did you do after -- I asked you earlier

1 about identifying the other individuals -- the ones that  
2 arrived in the truck that did not work there. What did  
3 you do to identify them?

4 A. Well, RAE Corporation and people at RAE  
5 Corporation and the management position -- actually one of  
6 our VPs saw an additional vehicle that had come in on a  
7 Thursday with the same guys in it, saw the truck going  
8 down the highway and followed them down to their residence  
9 or business, is how we know who else was involved in it.

10 Q. And I take it that, that residence or business is  
11 not something that tracked to Richard Long?

12 A. No.

13 Q. Can you disprove this contention? That Richard  
14 Long was confronted by these gentlemen, who claimed they  
15 had permission to remove these items, and he believed  
16 them?

17 A. Can I disclaim that?

18 Q. Yes. Can you disprove that claim?

19 A. Can I disprove that? Well, I do not believe  
20 that's the case. But, I guess, I don't understand what  
21 you're asking me to disclaim.

22 Q. Well, if a man is working at a place like this --

23 A. Yes.

24 Q. -- and somebody comes up and convinces him that  
25 they had permission to remove things and would you give me

1 a hand. I mean, isn't that a possibility here?

2 A. Is it a possibility?

3 Q. Yes.

4 A. If -- I'm not saying that somebody couldn't say  
5 that, but it's not something that you should do.

6 Q. Are you familiar with somebody named Randy Marks?

7 A. Randy Marks?

8 Q. Yes.

9 A. Not that I know of.

10 Q. Okay.

11 MR. PRICE: Well, I think that's all the  
12 cross-examine I have. Well, let me make sure since this  
13 is the only chance I get.

14 Q. (By Mr. Price) Oh. What was the weather that  
15 evening or night time?

16 A. Well, it started off it was clear. At the end of  
17 the video, it was pouring down rain.

18 Q. Did it affect the visibility any of the security  
19 footage?

20 A. No. You could just see the rain coming down.

21 Q. Now, you said that he shut the gate down behind  
22 them when they were leaving. How did you see him do --  
23 what did he do to do that?

24 A. Just saw the gate shutting?

25 Q. Just -- I'm sorry.

1           A.    You just could see the gate shutting behind him,  
2    which he had the remote control.  That's the only way it  
3    could shut the gate, is he had the remote control.

4           Q.    Okay.

5           A.    And the other -- that I spoke earlier, the only  
6    other electrical way to open those gates is in our  
7    stockroom, which is locked up at night.  It's not  
8    accessible.

9           Q.    If -- if -- did you testify that this bucket was  
10   full that was removed?

11          A.    This bucket was full of copper.

12          Q.    And then how long would it be expected to stay  
13   there before it was hauled off?

14          A.    Typically, like I was saying, we -- we send ten  
15   buckets every week, week and a half.

16          Q.    Okay.  How long had that one been there?

17          A.    Well, like I said, there's 16 of them.  It's a  
18   rotation.  It's no structure rotation.  When the  
19   department needs an empty bucket, they go get one.  All  
20   right.

21          Q.    All right, sir.  Thank you.

22                THE COURT:  All right.  Any redirect?

23                MR. KYLE LONG:  Yes, please.

24                THE COURT:  You may proceed whenever you're  
25   ready.



REDIRECT EXAMINATION

BY MR. KYLE LONG:

Q. In regards to Yaffe picking up these buckets, does RAE Corp receive any compensation or monies for the materials in it?

A. Yes.

Q. And, typically, for a full bucket, what does RAE Corporation receive for compensation?

A. It's on an average between 7 and 10 thousand dollars.

Q. And that's where you got that dollar amount?

A. Yes.

Q. And that's --

A. Just an average. Each bucket weighs different. You can get different amounts of weight in it.

Q. And it's your testimony here today that the bucket loaded onto the trailer was full?

A. Yes.

Q. Sir, counsel had asked you about whether you thought it was plausible whether you could disprove Mr. Long's version that he was assisting someone who requested his help or that he was helping load out a customer. Do you remember that line of questioning?

A. Yes.

Q. And do you believe that was the case in this

1 scenario?

2 A. No.

3 Q. Why not?

4 A. Well, why -- we've never loaded anything out at  
5 10:00 at night.

6 Q. And so that's not a common time for load outs to  
7 take place?

8 A. No.

9 Q. And you may have already answered this on  
10 cross-examination, but was load out scheduled for that  
11 specific bin?

12 A. Was there a load out scheduled for --

13 Q. On that day, was there --

14 A. No.

15 Q. Okay. In the future, was it -- had there already  
16 been a scheduled future date for that bin to be picked up  
17 and taken to Yaffe?

18 A. Was there a future scheduled date for that  
19 particular bucket?

20 Q. Yes, on that date.

21 A. No.

22 Q. Are the employees --

23 A. I don't know if I can say what I want to say,  
24 but --

25 Q. It's all right. Are employees typically advised

1 ahead of time when somebody is going to come pick up a  
2 bin?

3 A. Yes, and there's designated people who do that.

4 Q. All right. And is Mr. Long one of those  
5 designated people?

6 A. No.

7 Q. Thank you, sir.

8 THE COURT: Any recross-examination based on  
9 that?

10 MR. PRICE: No recross. No, Your Honor.

11 THE COURT: All right. Thank you, sir. You may  
12 step down. You're excused.

13 THE WITNESS: Okay.

14 THE COURT: You may call your next witness.

15 MR. KYLE LONG: Your Honor, I have no further  
16 witnesses. I do have the exhibit you've already taken as  
17 evidence, as well as five other judgments and sentences  
18 that would reflect previous convictions of Mr. Long, and  
19 they are certified copies.

20 THE COURT: All right. So State's Exhibits Nos.  
21 2 through --

22 MR. KYLE LONG: 2 through 6.

23 THE COURT: All right.

24 MR. KYLE LONG: And I've presented them to  
25 counsel for review.

1 MR. PRICE: Judge, looking at No. 2, it indicates  
2 a conviction on August 30th of 2004, which he was  
3 sentenced to 30 days in the county jail. I don't believe  
4 this is within the time frame that can be utilized for  
5 purposes of enhancement. There is a ten-year -- it has to  
6 be a sentence --

7 THE COURT: I understand.

8 MR. LONG: I believe there is other sentences  
9 that will bootstrap that in. And it's -- counsel is  
10 right. It's for three years in the Department of  
11 Corrections, all time suspended except for 30 days. So if  
12 that was, in of itself, the only judgment and sentence I  
13 would agree with counsel's argument that it wouldn't be  
14 able to be included. However, there are numerous more  
15 that I think are outlined on the supplemental page.

16 MR. PRICE: And I find no statutory support for  
17 the bootstrapping concept. I've looked into this before.

18 THE COURT: All right. But do you object to the  
19 State's Exhibits being admitted as evidence? I understand  
20 your argument that it could not be used for enhancement  
21 purposes, but are you objecting to any --

22 MR. PRICE: I would object if they can't be used  
23 for enhancement purposes, then they are -- they bear no  
24 relevance to the court --

25 THE COURT: All right. So I understand your

1 objection as to State's Exhibit No. 2. What about 3, 4,  
2 5, and 6?

3 MR. PRICE: Okay. State's Exhibit No. 3 is a  
4 conviction from 2007. I can't tell how long the sentence  
5 was for, but I would assume that it expired for -- more  
6 than ten years for the October 2021 time frame. And we  
7 would make that objection, that it's irrelevant.

8 THE COURT: All right. State's Exhibit No. 4?

9 MR. PRICE: And that's when his -- December --  
10 Exhibit 4 was a conviction on December 7th of 2009, and it  
11 was a sentence of five years, and it was in the Department  
12 of Corrections. And so I don't have information on when  
13 he discharged that. It would be his release date, I  
14 suppose, to the extent it actually isn't within the ten  
15 years, and we would object to this as well.

16 THE COURT: All right. State's Exhibit No. 5?

17 MR. PRICE: Exhibit No. 5 is from 2012. That one  
18 is going -- I can't make that objection on that. Exhibit  
19 No. 6 is from 2017, I wouldn't be able to make that  
20 objection on that one either.

21 THE COURT: All right. So show State's Exhibit  
22 Nos. 2, 3, and 4 will be admitted as evidence over  
23 Defendant's objection. And State's Exhibit Nos. 5 and 6  
24 will be admitted with no objection by the Defendant.

25 Counsel, understanding regarding your argument



1 and you can continue to make your argument as part of your  
2 demurrer for enhancement purposes as to 2, 3, and 4, if  
3 you would like to do so.

4 With that, Mr. Long, anything further on behalf  
5 of the State?

6 MR. KYLE LONG: No, Your Honor. May I approach?

7 THE COURT: Yes, sir.

8 MR. KYLE LONG: And State would rest. Here are  
9 the exhibits.

10 THE COURT: Thank you, sir.

11 MR. KYLE LONG: You're welcome.

12 THE COURT: Then, Mr. Price, any evidence or  
13 witnesses that you would like to call on behalf of the  
14 Defendant?

15 MR. PRICE: No, Your Honor.

16 THE COURT: All right. Any argument that you  
17 would like to present to the Court at this time?

18 MR. PRICE: Your Honor, it's just a question on  
19 whether you think the evidence is sufficient. I believe  
20 there is suspicion based upon this. Whether it meets the  
21 probable cause standard is pretty debatable, I think. We  
22 don't have any law enforcement investigation, apparently,  
23 and we have assumptions that a phone call meant something  
24 when, in fact, it could've been a number of things. He  
25 could've been talking to anyone. We know that.

1 THE COURT: All right. So do you just do a  
2 general demurrer --

3 MR. PRICE: Based on the evidence, generally  
4 speaking, you've heard the evidence, but we think the  
5 evidence was not sufficient for bindover.

6 THE COURT: So do you enter a general demurrer at  
7 this time?

8 MR. PRICE: Yes, Your Honor.

9 THE COURT: All right. State's response?

10 MR. KYLE LONG: Your Honor, just taking evidence  
11 in light most favorable to the State for the purposes of  
12 preliminary hearing, I believe there is enough based upon  
13 the testimony that he was on a cell phone. As he is  
14 continuing on the cell phone, he opens the door, the truck  
15 pulls in. Also based upon the witness's testimony that,  
16 that's not a typical time to pick up those types of  
17 materials. It would've been in the bin placed on the  
18 trailer, and also based upon Mr. Long not -- typically not  
19 being the person who would load those materials up.

20 THE COURT: All right. And then, Mr. Long, if I  
21 remember correctly, you stated that there is multiple  
22 videos. One being at least 50 minutes long; is that  
23 correct?

24 MR. KYLE LONG: Yes. And I think that's probably  
25 the one that's the most relevant that would -- should

1 depict the vehicle coming in, and then the forklift, and  
2 the other individuals loading stuff on there. So, yes,  
3 ma'am, I think that's probably the longest. There are  
4 other videos that may be 2, 3 to 4 minutes in length.

5 THE COURT: All right. Then looking at the time  
6 then today, regarding what I'm going to do is allow me an  
7 opportunity to review State's Exhibit No. 1, is to  
8 continue this for the Court's ruling as all evidence and  
9 argument has been presented to the Court. So for the  
10 Court's decision is, I believe, September 30th at 2:00 --

11 THE BAILIFF: Or the 29th at 2:00.

12 THE COURT: -- or the 29th at 2:00 are available  
13 for the Court's ruling. Counsel, does either date work  
14 better for you, Mr. Price?

15 MR. PRICE: You said the 29th or the 30th?

16 THE COURT: Yes, sir. The 29th or the 30th both  
17 at 2:00.

18 MR. PRICE: I think either day would be okay.

19 THE COURT: Mr. Long, do you have a preference?

20 MR. KYLE LONG: I'll be here, so whatever works  
21 for the Court's calendar.

22 THE COURT: Then I'm going to continue this for  
23 the Court's ruling for September 30th, 2022 at 2:00 in the  
24 afternoon.

25 Mr. Long, sir, you're ordered to reappear on

1 September 30th at 2:00 and that will be for my ruling from  
2 today's hearing. All right. And so we will see you then.

3 Anything further on behalf of your client,  
4 Mr. Price?

5 MR. PRICE: No. Thank you, Your Honor.

6 THE COURT: Anything further on behalf of the  
7 State?

8 MR. KYLE LONG: No, Your Honor.

9 THE COURT: We'll be in recess in this case then.

10 (Proceedings concluded at 3:59 p.m.)  
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## C E R T I F I C A T E

STATE OF OKLAHOMA )  
 ) SS:  
COUNTY OF MAYES )

I, Desaray D. Martin, Official Court Reporter in  
and for the State of Oklahoma, do hereby certify that on  
the 26th day of August, 2022, before the Honorable  
Jacqueline Stout, Special District Judge, in the District  
Court of Mayes County, Oklahoma, I reported in machine  
shorthand the proceedings had and the evidence given and  
that the above is a full, true, correct and complete  
transcript of the proceedings taken at said time and  
place.

WITNESS MY HAND THIS 13th day of April, 2023.

-----  
Desaray D. Martin, CSR  
Certificate No. 02026



IN THE DISTRICT COURT OF MAYES COUNTY,  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, )  
)  
PLAINTIFF, )  
V. ) CASE NO. CF-2021-212  
) CF-2016-251  
RICHARD WILLIAM LONG, )  
)  
DEFENDANT. )

\* \* \* \* \*  
TRANSCRIPT OF PROCEEDINGS

SEPTEMBER 30TH, 2022,  
BEFORE THE HONORABLE JACQUELINE STOUT  
PRYOR, OKLAHOMA  
\* \* \* \* \*

A P P E A R A N C E S

FOR THE STATE:

Mr. Kyle Long  
Assistant District Attorney  
1 Court Place  
Suite 250  
Pryor, Oklahoma 74361

FOR THE DEFENDANT:

Mr. Jeffrey A. Price  
Attorney at law  
400 South Muskogee Avenue  
Claremore, Oklahoma 74017

Reported By:  
Desaray D. Martin, CSR  
Official Court Reporter  
Mayes County Courthouse  
1 Court Place, Suite 240  
Pryor, Oklahoma 74361

*Richard  
was never  
allowed to  
speak at  
any hearing*

P R O C E E D I N G S

(The following proceedings were had in open court on September 30, 2022, parties present with and/or through counsel:)

THE COURT: We'll be on the record in State of Oklahoma vs. Richard William Long, CF-21-212 as well as CF-16-251. Mr. Long is present with his attorney Jeffrey Price. The State is represented by Kyle Long. This case comes on today for the Court's ruling from the preliminary hearing that was held back on August 26th, 2022.

After having an opportunity to look at all of the evidence that was presented at trial, I find that this incident occurred on October 12th, 2021. That it occurred within the jurisdiction of Mayes County. That -- out at RAE Corporation. That the RAE Corporation employee James Surine testified as to the fact that Mr. Long was a previous employee at RAE Corporation. That during that time, he took a gate opener off of a forklift. And he opened -- he used the gate opener to open a gate allowing access to individuals in a truck hauling a trailer that allowed them to load. And, in fact, Mr. Long, upon reviewing the video, assisted in operating the forklift to, in fact, load the items onto the back of the trailer.

And then, furthermore, went in and loaded individual items onto the trailer as well as the truck

1 bed, and that Mr. Surine testified that those items that  
2 were stolen from RAE Corp, as Mr. Long nor the individuals  
3 that were loading it into the truck and trailer, that they  
4 did not have permission in order to do so. Costs and  
5 value in the amount of 7 to 10 thousand dollars in value  
6 for the property that was stolen.

7 And pursuant to State's Exhibit Nos. 2, 3, 4, 5,  
8 and 6, that Mr. Long has a -- judgments and sentences that  
9 ranges in length. After looking at those, those all --  
10 none -- well, for each of the sentences, for the ones  
11 presented for habitual purposes, that they all piggyback  
12 off of each other because at no point did ten years expire  
13 after the probation period or the imprisonment period of  
14 Mr. Long. So all prior felonies that the State presented  
15 for purposes of enhancement are allowed and -- excuse me.  
16 As such, I find that the State has met its burden for  
17 purposes of preliminary hearing.

18 And, Mr. Long, as for Count 1 for Grand Larceny,  
19 I am binding you over on that count, as Count 2 was  
20 previously dismissed by the State, costs to state. And  
21 that bind over is after five prior felony convictions.  
22 So, sir, you're ordered to reappear for district court  
23 arraignment.

24 Which, Mr. Price, I have November 2nd, if your  
25 client would like to waive 30 days for DCA.

1 MR. PRICE: Would that be in the morning or  
2 afternoon?

3 THE COURT: That would be at 10:30 in the  
4 morning, sir.

5 MR. PRICE: Yes. That will work, Your Honor.

6 THE COURT: All right. Sir, if you would come  
7 forward and raise your right hand for me please. Do you  
8 swear to tell the truth, the whole truth, and nothing but  
9 the truth, so help you God?

10 THE DEFENDANT: Yes, ma'am.

11 **RICHARD WILLIAM LONG,**  
12 having first been duly sworn, was examined and testified  
13 as follows:

14 THE COURT: All right. Thank you, sir. Put your  
15 hand down. Are you under the influence of any kind of  
16 drugs, alcohol, or prescribed medication, anything that  
17 would affect your ability to understand what we are doing  
18 here today?

19 THE DEFENDANT: No, ma'am.

20 THE COURT: Is there any medication that you  
21 should be taking, but are not?

22 THE DEFENDANT: No, ma'am.

23 THE COURT: And have you ever been diagnosed with  
24 any mental disease or disorder?

25 THE DEFENDANT: No, ma'am.



1 THE COURT: Any reason to question your client's  
2 competency?

3 MR. PRICE: No, Your Honor.

4 THE COURT: Anything on behalf of the State's  
5 knowledge?

6 MR. KYLE LONG: No, Your Honor.

7 THE COURT: Sir, you understand you have a --  
8 because you were bound over at your prelim here today,  
9 that you have the right to your next court date, which is  
10 called your district court arraignment, within 30 days  
11 from today. Do you understand that?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: All right. Your attorney announces  
14 that you would like to push it a little bit further down  
15 the road. So do you waive your right to have DCA within  
16 30 days?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: All right. Has anyone forced,  
19 coerced, mistreated you, or promised you anything of  
20 benefit to get you to do so?

21 THE DEFENDANT: No, ma'am.

22 THE COURT: Then I'll find that you're a  
23 competent person. That you have knowingly and voluntarily  
24 waived your right to have district court arraignment  
25 within 30 days. As such, you're ordered to reappear on



1 November 2nd, 2022, at 10:30 in the morning. Okay. And  
2 since you've already posted bond, you'll be allowed to  
3 remain free on that bond. And when you return on November  
4 2nd at 10:30, that will be down the hall in Courtroom  
5 No. 4 in front of Judge Gore. Do you have any questions,  
6 sir?

7 THE DEFENDANT: No, ma'am.

8 THE COURT: All right. Anything further on  
9 behalf of your client?

10 MR. PRICE: No, Your Honor.

11 THE COURT: Anything further on behalf of the  
12 State?

13 MR. KYLE LONG: No, Your Honor.

14 THE COURT: We'll be in recess in that case.  
15 Good luck to you, sir.

16 Oh, and CF-16-251 will continue to trail.

17 (Proceedings concluded at 2:00 p.m.)

18 *Richard Feared*  
19 *Speaking out of turn*  
20 *he asked Jeff to allow him*  
21 *to speak on many occasions but*  
22 *was Ignored by Def Jeff Price*  
23  
24  
25

## C E R T I F I C A T E

STATE OF OKLAHOMA       )  
                                      ) SS:  
COUNTY OF MAYES        )

I, Desaray D. Martin, Official Court Reporter in  
and for the State of Oklahoma, do hereby certify that on  
the 30th day of September, 2022, before the Honorable  
Jacqueline Stout, Special District Judge, in the District  
Court of Mayes County, Oklahoma, I reported in machine  
shorthand the proceedings had and the evidence given and  
that the above is a full, true, correct and complete  
transcript of the proceedings taken at said time and  
place.

WITNESS MY HAND THIS 13th day of April, 2023.

\_\_\_\_\_  
Desaray D. Martin, CSR  
Certificate No. 02026

EX motion 5D

IN THE DISTRICT COURT IN AND FOR MAYES COUNTY  
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

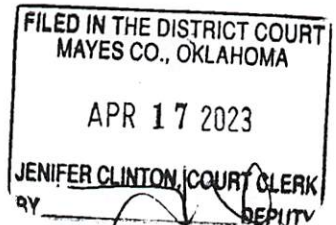
Plaintiff,

vs.

RICHARD LONG,

Defendant.

Case Nos. CF-2021-212



MOTION FOR WITHDRAWAL

Comes Now Jeffrey A. Price and moves to withdraw as attorney of record for Defendant, Robert Long. In support, the movant states:

1. Defendant provided some payment to the movant, prompting the movant to appear and represent Defendant through the point of the preliminary hearing. The movant required substantially more payment from Defendant to appear for trial in this case. Defendant has another case, as well, wherein a hearing is set to occur April 17th. The movant represents Defendant in that matter, as well, and is filing a Motion to Withdraw in that case, also.

2. Over the many months leading up to and since the preliminary hearing, the movant has asked Defendant to secure funds to pay trial fees. To this point, no money has been provided since August 25, 2022.

3. Attorney appeared in both cases on March 6, 2023. It was the jury sounding docket in the present case. At that time, the Court informed the movant it would not grant a motion to withdraw in either case and scheduled the jury trial in the present case to commence April 24th and the revocation hearing in the other case to occur on April 17th.

4. The movant has spoken with the prosecutor, who made a plea bargain offer in both cases. Defendant last indicated he was not in agreement.

See

5. The movant has now engaged a process server to attempt service of three subpoenas.

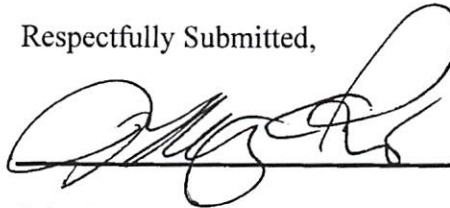
The movant has not been provided with payment from Defendant toward the cost of serving those subpoenas or the cost of paying statutory witness fees.

6. A conflict of interest has arisen due to Defendant's inability to pay reasonable fees. As a matter of justice, the Court should permit the movant to withdraw and consider Defendant as a candidate to receive representation through OIDS.

WHEREFORE, the movant requests an order discharging or withdrawing him from the present case.

I believe  
all these statements  
to be untrue I ask  
the court see Billing info from  
Subpoena attached.

Respectfully Submitted,



Price Law, P.C.  
**JEFFREY A. PRICE**, OBA# 16431  
400 South Muskogee  
Claremore OK 74017  
Telephone: 918-342-8100  
Facsimile: 918-342-8122

**CERTIFICATE OF MAILING**

This will certify that a copy of the Motion for Withdrawal was hand-delivered on the 17th day of April, 2023, to:

To: Richard Long  
495 Spring Cove Ave.  
Salina, OK 74365

Kyle Long  
Mayes County Asst. D.A.  
One Court Place  
Mayes County, OK 74361

  
JEFFREY A. PRICE



## ACKNOWLEDGEMENT OF RECEIPT OF DISCOVERY

Case Number: CF-21-212 State v. Long, Richard

Pursuant to my request, the Mayes County District Attorney's Office has provided me with all discovery contained in this packet as of the date of the document. The cost of providing this material is .25 per page up to 20 pages, \$5.00 per CD/DVD. If material is provided on a flash drive the cost is \$10.00 for 4g, \$12 for 8g, \$15.00 for 16g, \$25.00 for 32g and \$40.00 for 64g.

### DISCOVERY CAN BE PICKED UP IN PERSON OR PROVIDE A SELF-ADDRESSED STAMPED ENVELOPE.

This discovery packet contains:

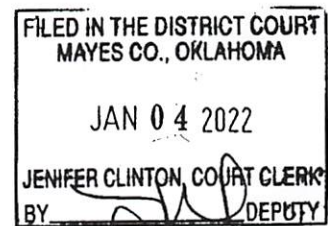
\_\_\_\_ Pages

2 CD/DVD (s) (bates 1-26) (bates 27: DVD)

\_\_\_\_ Flash Drive

The total cost is \$ 10

Accepted method of payment: check or money order



\_\_\_\_\_  
Recipient of Discovery (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Recipient of Discovery (signature)

\_\_\_\_\_  
District Attorney Representative

Defense Attorney C. Noah Sears was notified Discovery is ready for pick up on 1-4-22.

Notified by \_\_\_\_ fax ☒ email \_\_\_\_ phone/text

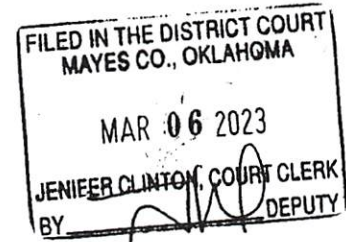
Sabina Stanglin

District Attorney Representative



IN THE DISTRICT COURT OF MAYES COUNTY  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, )  
Plaintiff, )  
 )  
vs. ) CF-2021-212  
 )  
RICHARD WILLIAM LONG, )



DEFENDANT'S WITNESS AND EXHIBIT LIST

COMES NOW the Defendant, Richard Long, by and through his attorney of record and lists the following witnesses and exhibits he intends to utilize at trial:

A. WITNESSES:

1. **RANDY MARKS**. Mr. Marks was the driver of the vehicle that loaded the items at issue from the business premises in question. He utilized a common scheme or pattern he had used to convince Defendant and a co-worker that he had the authority of company officials to remove the items he enlisted Defendant and the co-worker to remove.
2. **KYLE BAKER**. A lieutenant with the Rogers County Sheriff's Office who investigated Randy Marks for crimes charged in Rogers County District Court Case No. CF-2020-550
3. **BRETT WILLIAMS**. Worked at Parfab in 2020 when Randy Marks unlawfully removed property from Parfab, resulting in charges against Mr. Marks in Rogers County District Court Case No. CF-2020-550.
4. **LARRY ZIMMERMAN**. The security guard at Parfab who was convinced by Randy Marks that Marks had the authority of Parfab bosses to remove valuable items. This relates to the aforementioned CF-2020-550 (Rogers County).
5. **LESTER SWEARENGIN**, 918-864-1078; 3246 n. 4435, Salina, OK 74365. The coworker with Defendant who was convinced by Randy Marks that Marks had authority from company officials to remove property from the business premises.
6. DEFENDANT: All issues.
7. All witnesses listed by the State and not objected to by Defendant.

B. EXHIBITS:

1. All materials produced in discovery the prosecution.
2. Judgment and Sentence from Rogers County District Court Case No. CF-2020-550.
3. Judgment and Sentences from convictions of Randy Marks in other jurisdictions, including Kansas.
4. Offender lookup page picture for Randy Marks, Okla. DOC# 2002134

*I've never found these Subpoenas  
Nor was Lester ever contacted  
See LR Texts*

5. All exhibits listed or offered by the prosecution that is not objected to by Defendant.

Respectfully Submitted By:



JEFFREY A. PRICE, OBA#16431

Price Law, P.C.

400 S. Muskogee Ave.

Claremore, OK 74017

P: 918-342-8100

F: 918-342-8122

Attorney for Defendant

**CERTIFICATE OF DELIVERY**

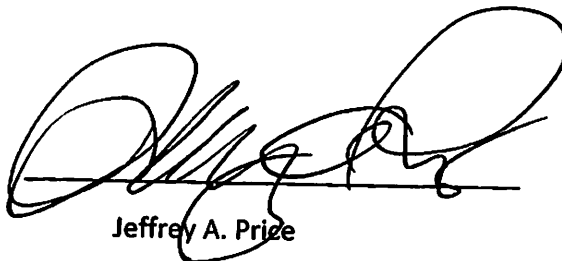
This will certify that on the 6<sup>th</sup> day of March, 2023, I caused a true and correct copy of the foregoing pleading to be hand-delivered to the following persons or entities:

Kyle Baker

Office of District Attorney

One Court Place

Pryor, OK 74361



Jeffrey A. Price

IN THE DISTRICT COURT OF MAYES COUNTY,  
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

PLAINTIFF,

V.

RICHARD WILLIAM LONG,

DEFENDANT

CASE NO. CF-2016-251

*Lester Swearagin  
testimony  
Richard Long was never  
questioned or allowed to speak  
see full transcripts at hearing*

\* \* \* \* \*

TRANSCRIPT OF PROCEEDINGS

APRIL 17, 2023

BEFORE THE HONORABLE JUDGE REBECCA GORE

PRYOR, OKLAHOMA

\* \* \* \* \*

Reported by:  
Bethany DeGarmo, RSR, CSR  
Official Court Reporter  
Mayes County Courthouse  
1 Court Place  
Suite 210  
Pryor, Oklahoma 74361

*Lester  
testimony  
Defense  
Witness  
Ignored*

1 Q. Okay. Can you tell us, on how many different  
2 occasions did you witness the gentlemen come out with a  
3 vehicle to load up materials?

4 A. Just the first time I noticed them out...

5 Q. Okay. And so who was involved in the first time  
6 and when was that first time? What day of the week?

7 A. It was a guy -- an older man and two younger  
8 guys.

9 Q. Okay. And was Mr. --

10 A. It was on a Thursday because we was just working  
11 half a shift.

12 THE COURT: Mr. Swearengin, you're going to  
13 have to speak up into that microphone because I cannot  
14 hear you because of that glass, there. I apologize.  
15 So if you would repeat that?

16 THE WITNESS: I said it happened on Thursday  
17 night. The older guy and two younger kids out there.

18 THE COURT: Thank you very much. I  
19 appreciate that.

20 Q. (By Mr. Price) An older guy and two young guys.  
21 Did they all arrive in the same vehicle?

22 A. It was a white van.

23 Q. Okay. They showed up in a van. Okay. What  
24 exactly -- and was Mr. Long -- did he do something on that  
25 occasion, too?

Lester  
Swearengin  
Testimony Pg 12  
Lines 5-22



1 A. I didn't even know they was there 'til I went to  
2 take out my dump -- dump my junk f  
3 shift. That's when I seen them.  
4 building and I noticed the southwest gate was open, then I  
5 came back in, the older guy was talking to Richard, and he  
6 said he knew all the guys, he was supposed to be out  
7 there, so we didn't think nothing about it.

8 Q. We've been provided with recordings of  
9 surveillance footage at RAE Corp. on October the 10th, and  
10 you've identified a Thursday. Would -- if I told you that  
11 October 7th was a Thursday, do you think that's consistent  
12 with your recollection?

13 A. It was on Thursday, the first they came out, that  
14 I know of.

15 Q. Okay. All right. So on the first time when they  
16 came out, did you see how they gained entrance into the  
17 yard?

18 A. I assume they came through that southwest gate  
19 because that was the only one that was open, as far as I  
20 know.

21 Q. Okay. And did you see anyone let them in through  
22 that gate?

23 A. No, it was --

24 Q. I'm sorry?

25 A. Like I said, I didn't even know they was there

Page 13  
Lines 1-7



1 'til I went out and took out my trash.

2 Q. Okay. And then you see that they're in the yard?

3 A. Yeah, loading copper in the van

4 Q. But you didn't see how they got past --

5 A. No, I don't know. I didn't see them come in or  
6 anything.

7 Q. But the gate was open when you observed?

8 A. Yeah.

9 Q. Okay. And so who are the -- who were the people  
10 there working for RAE Corp. in your area?

11 A. Just me and Richard, only two that I know of.

12 Q. Okay. And what time of the day or night was it  
13 on this first occasion?

14 A. It was around 9:30 or so whenever I noticed them  
15 --

16 Q. And this was --

17 A. -- at night.

18 Q. -- at night. Okay. So what was your shift on  
19 this half day Thursday? You said --

20 A. 4:30 to 10.

21 Q. Okay. And did you speak with any of the people  
22 that came there, the people that were there?

23 A. The older guy talked to me, tell me he knew all  
24 they owners and everything.

25 Q. Did he name any names?

7914  
Lines 2-8

1 A. Yes --

2 Q. Which --

3 A. -- he named James Surine, Jerry Salcher, Junior,  
4 Eric Swank, and Mr. Jim Swank. He knew that Mr. Jim Swank  
5 had just passed away.

6 Q. So he knew some information about the owners, who  
7 they were, and even that one of them had just passed away?

8 A. Yeah.

9 Q. Okay. So who are the -- who are the other  
10 bosses? Is Eric Swank one of them?

11 A. He's the owner, now.

12 Q. Okay. How about Jerry Salcher?

13 A. He's the president, or was. I don't know if he's  
14 -- is he still there, now? I heard he retired, but I  
15 don't know.

16 Q. Okay. And James Surine testified --

17 A. He's plant supervisor.

18 Q. Okay. And I think he's the one that may have  
19 testified in this case before. Did he -- but he named  
20 which names, again, to you, this gentleman that came out  
21 to load up materials on October 7th?

22 A. Eric Swank, Jerry Salcher, Junior, and James  
23 Surine.

24 Q. Okay.

25 A. And Mr. Jim Swank.



1 Q. Did he give any indication how it was that he had  
2 permission to be there and remove anything?

3 A. No, he just said he had permission and he knew  
4 everybody, so we didn't think nothing of it.

5 Q. Did he -- did he tell you what his use was going  
6 to be for the materials?

7 A. He said they're making bracelets, knives, and  
8 stuff to sell for the Cherokee Nation.

9 Q. Okay.

10 A. And he gave us some to show us what he was  
11 making.

12 Q. And did it -- and what was your opinion of -- did  
13 you believe this man or not?

14 A. I didn't have no reason not to.

15 Q. Okay. And so what did you do, if anything, on  
16 this occasion to assist this gentleman?

17 A. I had some older copper pieces up by my punch, I  
18 gave them to him, took them out to him in the van. These  
19 strips had been there about six months, I made carriages  
20 out of.

21 THE COURT REPORTER: I'm sorry, what did you  
22 say? That last bit?

23 MR. PRICE: Could you repeat that, sir?

24 THE WITNESS: I said there was some old  
25 copper strips up there by my punch, behind my punch,

1 that I gave to him, took out and gave to him, because  
2 I hadn't used them in about six months.

3 Q. Can you explain what that is?

4 A. Copper strips about 4 inches wide by 36 inches  
5 long, about six of them. I make carriages out of them.

6 Q. Were any of these items that were taken on this  
7 first occasion affixed to any property?

8 A. No.

9 Q. Were they just loose in a bin?

10 A. Yeah.

11 Q. Okay. Did you know whether there were cameras at  
12 the workplace that would have captured what all was going  
13 on?

14 A. I assumed all the cameras out there work. I  
15 don't know for sure, I don't know how to get in to look at  
16 them and which ones are working, but I know we got cameras  
17 all over the place.

18 Q. As of October 7th, did you know that fact, that  
19 there was cameras all over the place out there?

20 A. Yeah.

21 Q. Okay. Did that play into your thinking at all as  
22 to whether this gentleman --

23 A. No.

24 Q. Okay.

25 A. We're so used to the cameras, we don't even think



1 about them being there, really.

2 Q. Did you have the key or a way to open that gate  
3 that was --

4 A. No.

5 Q. -- open that night? Do you -- to your knowledge,  
6 did Mr. Richard Long have a key or --

7 A. No, he don't --

8 Q. -- a way to --

9 A. -- have a key to --

10 Q. -- open that gate?

11 A. -- that, neither.

12 Q. And that was which gate, the southwest gate?

13 A. Southwest.

14 Q. Okay. Have you any knowledge of, on previous  
15 occasions, be it distant in time or not, that people have  
16 been allowed to come and remove --

17 A. Yeah.

18 Q. -- bins of metal from there?

19 A. Not so much bins, but we -- they've come out  
20 there and we gave a drop of copper, stainless steel, and  
21 aluminum jaw that we had. That's been several years ago,  
22 though.

23 Q. Do you know whether the contents of the bins  
24 and I'm only asking you about the first occasion. It's my  
25 understanding you did not go out there and --

Pg 18  
Lines 2-17

Pg 18  
Lines 23-25



1 A. I didn't go out on the second one.

2 Q. -- and work in the yard? The second one you  
3 didn't? Let's wait 'til I finish before you -- okay. So  
4 I'm just asking you about October 7th on all these  
5 questions, okay, because it's my understanding you didn't  
6 go out there and help do anything on October 10th?

7 A. No, it was raining.

8 Q. Okay. But did you see what bins were taken and  
9 do you know that -- what was in the bins, as far as which  
10 --

11 A. I seen --

12 Q. -- type of metal?

13 A. -- loading up the copper, and then Richard loaded  
14 a bin for them 'cause we got the forklift. I don't know  
15 what was in it, for sure. Copper, I thought.

16 Q. And do you have any estimate of the value of  
17 those metals?

18 A. I don't have the slightest idea --

19 Q. Okay.

20 A. -- of the prices on that.

21 Q. Do you happen to remember if you told Mr. Long  
22 that you had known that other people had been, in the  
23 past, allowed to take things --

24 A. I told him that I've seen people before getting  
25 it, yes.

1 Q. Did the police ever talk to you about this  
2 matter?

3 A. No, I ain't heard nothing about it since they  
4 fired me.

Pg 20  
Lines 1-8

5 Q. Do you have any criminal history?

6 A. No.

7 Q. Have you ever been accused of stealing?

8 A. No.

9 Q. Did you -- did you become reemployed, or what did  
10 you do after you lost that job?

11 A. I filed for my Social Security.

12 Q. Retirement?

13 A. Yeah.

14 Q. Okay.

15 MR. PRICE: No further questions.

16 THE COURT: Thank you.

17 Mr. Long, questions?

18 MR. KYLE LONG: Yes, Your Honor.

19 THE COURT: Certainly. Proceed whenever  
20 you're ready.

21 CROSS-EXAMINATION

22 BY MR. KYLE LONG:

23 Q. Mr. Swearengin, I believe it was your testimony  
24 you'd worked for RAE Corp. for 30 years?

25 A. Forty.

Mr Long DA  
didn't seem  
interested in new  
evidence  
Test  
Price never notified  
KYLE  
Long

1 A. I never even thought nothing about that.

2 Q. Okay. And moving with the October 7th, 2021,  
3 date, did the gentleman that was there in the white van,  
4 did he ever provide you proof that he was supposed to  
5 be --

6 A. No, he just talked about the owners and said he  
7 had permission.

8 Q. Okay. And do you know who that that gentleman  
9 is?

10 A. No, I don't remember his name. I don't even  
11 really remember what he looks like, to tell you the truth.  
12 I'm not very good on faces.

13 Q. And you indicated that he was in a white van?

14 A. Yeah, a white Chevy minivan.

15 Q. Was there a trailer or anything attached to that  
16 van?

17 A. No.

18 Q. And where was the items, the copper and metal,  
19 being loaded into the van?

20 A. It was out behind the cool shop. About middle  
21 ways to the east end of the plant.

22 Q. Okay. You indicated that was Thursday about 9:30  
23 in the evening?

24 A. Yeah.

25 Q. Was it common for people to come pick up items



1 that late at night?

2 A. Well, like I said, I wouldn't even know they was  
3 there if I hadn't run out and emptied my trash, so I don't  
4 know if there's people walking around out there or not at  
5 night.

6 Q. Had you ever had occasion to help someone, other  
7 than that evening, load metal out at 9:30 at night?

8 A. No, not at night. Like I said, when people came  
9 on days, we did get the metal down for them, or drop  
10 racks, and helped them load that.

11 Q. Prior to being let go from RAE Corp., how long  
12 did you work nights?

13 A. Oh, hell. We been on nights, back and forth, 15,  
14 20 years.

15 Q. So during that 15 or 20 years, you've never had  
16 occasion to help load out metal --

17 A. No.

18 Q. -- or -- okay. Mr. Swearengin, there was some  
19 testimony between you and Mr. Price about the gate being  
20 open; do you remember that line of questioning?

21 A. I noticed it open whenever I went around.

22 Q. And you said you assumed that someone had opened  
23 it, but you're not entirely sure how that gate got open?

24 A. No, I don't know. I assumed somebody left it  
25 unlocked, or -- I don't know.

1 Q. Okay. And is that -- where was this gate located  
2 at, in relationship to the building?

3 A. Okay, it's on the south -- southwest end.

4 Q. Okay. And during the night shift, is that gate  
5 typically open or closed?

6 A. I don't know.

7 Q. Okay.

8 A. Never pay any attention to it, to tell you the  
9 truth.

10 Q. Thank you, sir.

11 THE COURT: Questions, Mr. Price?

12 REDIRECT EXAMINATION

13 BY MR. PRICE:

14 Q. Had you seen this gentleman, the older gentleman  
15 -- either one of the gentlemen or all three of the  
16 gentlemen that were there that night to load things up,  
17 had you seen them before that occasion?

18 A. Not that I know of, no.

19 Q. Okay. When you got fired, did the bosses say  
20 anything about Mr. Long?

21 A. No. They didn't talk to me about Richard.

22 Q. Okay.

23 MR. PRICE: That's all the questions I have.

24 THE COURT: Any questions, Mr. Long?

25 MR. KYLE LONG: No, Your Honor.



1 THE COURT: All right.

2 Thank you, sir. You can step down.

3 MR. PRICE: Call Richard Long.

4 THE COURT: Certainly. Mr. Long, if you'll  
5 please come forward? And, sir, would you please raise  
6 your right hand? Do you promise to tell the truth and  
7 nothing but the truth, so help you God?

8 THE WITNESS: Yes, ma'am.

9 RICHARD LONG,

10 having first been duly sworn, was examined  
11 and testified as follows:

12 THE COURT: Please have a seat. And  
13 Mr. Long, if you'll speak into that microphone, would  
14 you please tell me your full name?

15 THE WITNESS: Richard William Long.

16 THE COURT: All right. Thank you so much,  
17 sir.

18 Mr. Price, proceed whenever you're ready,  
19 please.

20 DIRECT EXAMINATION

21 BY MR. PRICE:

22 Q. Mr. Long, I understand you've had some criminal  
23 convictions; correct?

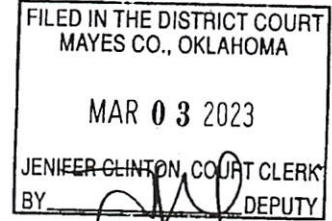
24 A. Yes, sir.

25 Q. Have you ever had a criminal conviction involving

*Richard Long  
was never allowed  
to defend himself  
never questioned  
by Kyle Long  
of Jeff  
Price  
Defense*

*State's witness  
\* EXHIBIT  
List*

IN THE DISTRICT COURT OF MAYES COUNTY  
STATE OF OKLAHOMA



STATE OF OKLAHOMA,

PLAINTIFF,

vs.

Case No. CF-2021-212

RICHARD WILLIAM LONG

DEFENDANT.

STATE'S WITNESS AND EXHIBIT LIST FOR JURY TRIAL

COMES NOW on this 2nd day of March 2023, the State of Oklahoma, by District Attorney Matthew J. Ballard, through Assistant District Attorney, Kyle E. Long notifies the Defendant herewith of its anticipated jury trial witnesses and exhibits pursuant to Okla. Stat. tit. 22 § 2002(A)(1).

Anticipated Witnesses:

1. **Steve Brown**  
Mayes County Sheriff's Office  
1 Court Place, Ste. 150  
Pryor, Oklahoma 74361

*Investigator  
Never questioned  
Richard Long or  
Lester Swearingin*

This witness will testify to his training and experience as it relates to his knowledge and actions in this investigation. This witness will testify as to his training and experience as it relates his job duties as a law enforcement officer. This witness will testify consistent with the reports contained in the State's Discovery materials generated by the witness or mentioning the witness.

2. **Michael Lewis**  
Mayes County Sheriff's Office  
1 Court Place, Ste. 150  
Pryor, Oklahoma 74361

*arresting also  
officer also  
never spoke to  
Richard or Lester*

This witness will testify to his training and experience as it relates to his knowledge and actions in this investigation. This witness will testify as to his training and experience as it relates his job duties as a law enforcement officer. This witness will

testify consistent with the reports contained in the State's Discovery materials generated by the witness or mentioning the witness.

3. **Cara Davenport**  
RAE Corporation  
4492 Hunt Street  
Pryor, Oklahoma 74361

*Video  
Control  
never checked  
Oct 7 2021*

This witness will testify consistent with the reports contained in the State's Discovery materials generated by the witness or mentioning the witness. This witness's testimony will include but not be limited to testimony that while employed by RAE Corporation she was made aware of a possible theft. This witness will further testify to the actions and steps she took after being notified of the potential theft.

4. **James Surine**  
RAE Corporation  
4492 Hunt Street  
Pryor, Oklahoma 74361

*Had  
to of known  
about Oct 7 2021  
by then his bosses  
were notified  
by Richard  
+ Sheryl  
via email  
+ messenger*

This witness will testify consistent with the reports contained in the State's Discovery materials generated by the witness or mentioning the witness. This witness's testimony will include but not be limited to testimony that while employed by RAE Corporation he was made aware of a possible theft. This witness will further testify to the actions and steps he took after being notified of the potential theft.

5. **Matt Deselle**  
RAE Corporation  
4492 Hunt Street  
Pryor, Oklahoma 74361

*Admitted  
to Wayne  
Stinnett that  
Richard + Lester  
may have called  
him Oct 7 2021  
and Richard claimed  
it was never  
listened to  
Both men state  
Bosses were  
not at  
returning  
messages*

This witness will testify consistent with the reports contained in the State's Discovery materials generated by the witness or mentioning the witness. This witness's testimony will include but not be limited to testimony that while employed by RAE Corporation he was made aware of a possible theft. This witness will further testify to the actions and steps he took after being notified of the potential theft.

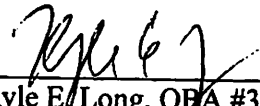
6. Any/all witnesses listed by the Defendant not otherwise object to by the State.  
7. Any/all rebuttal witnesses as necessary.

#### Anticipated Exhibits:

- Any/all surveillance video of theft, including in the State's discovery, including, but not limited to surveillance video previously introduced and admitted at preliminary hearing.
- All exhibits listed by the Defendant not otherwise object to by the State.

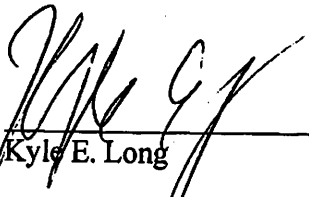
MATTHEW J. BALLARD  
DISTRICT ATTORNEY

BY:

  
\_\_\_\_\_  
Kyle E. Long, OBA #32053  
Assistant District Attorney

**Certificate of Service**

This is to certify that a true and correct copy of the above was submitted to the attorney for the Defendant, Jeff Price, on the date of filing

  
\_\_\_\_\_  
Kyle E. Long





Recent  
Emails  
to Jeff  
Price

Sheryl Dorman <sheryldorman72@gmail.com>

## Transcripts for April 17th

4 messages

Sheryl Dorman <sheryldorman72@gmail.com>  
To: jeff@priceandsears.com

Thu, Apr 4, 2024 at 7:06 PM

I have the transcripts from April 17, 2023, they ended record at 130. I remember court going on till at least 2 because I  
texted Richard's daughter as soon as I walked out to my truck leaving the courthouse and screenshot the texts to show  
someone before I even started my truck. When I read the transcripts there are certain statements Judge Gore made to  
Richard that are not in the transcripts. I was hoping since you were there with us you could help shed some light on this  
for me. The transcripts end with  
"the proceedings were concluded at 130" however I specifically remember 4 very intense statements she made at the end  
before I thought it was over and left the courtroom.

"I know you're a liar"

"I know you knew that man"

"I know your profited from this"

"and i know you will be found guilty in your trial next week"

is it common practice to go off record and conclude your court hearing off record as if court ended?

Sheryl Dorman <sheryldorman72@gmail.com>  
To: Shae Rozzi <srozzi@fox23.com>

Thu, Apr 4, 2024 at 7:06 PM

[Quoted text hidden]

Jeff <jeff.price@jeffpricelaw.com>  
To: Sheryl Dorman <sheryldorman72@gmail.com>

Fri, Apr 5, 2024 at 10:34 AM

Sheryl,

I cannot verify that the judge made any of these comments. I know the way you are wired and you will think  
I am in on a scam for not agreeing, but I don't agree the judge made those particular remarks. Her take on  
the evidence might have – reading between the lines – meant that is what she thought, but she did not  
actually make those remarks. I think your perception is off, probably because it is an emotional issue. -- Jeff

From: Sheryl Dorman <sheryldorman72@gmail.com>  
Sent: Thursday, April 4, 2024 7:06 PM  
To: Jeff <jeff.price@jeffpricelaw.com>  
Subject: Transcripts for April 17th

There are  
more in  
full evidence  
folder for  
hearing

I have the transcripts from April 17, 2023, they ended record at 130. I remember court going on till at least 2 because I  
texted Richard's daughter as soon as I walked out to my truck leaving the courthouse and screenshot the texts to show  
someone before I even started my truck. When I read the transcripts there are certain statements Judge Gore made to  
Richard that are not in the transcripts. I was hoping since you were there with us you could help shed some light on this  
for me. The transcripts end with

[Quoted text hidden]

Sheryl Dorman <sheryldorman72@gmail.com>

Fri, Apr 5, 2024 at 4:33 PM



To: Jeff <jeff.price@jeffpricelaw.com>

Well Mr Long also remembers the exact same remarks being made sir, we had 2 other people in that courtroom Lester swearing as well as his son who seem to remember hearing the same 4 statements so i'm sorry if you disagree but even lawyers have been known to make "mistakes". As far as "an emotional issue" I would like you to clarify exactly what you mean by that statement. I am not nor have I been in an overly emotional haze. I am well aware of what took place in that courtroom and I absolutely do have the proof of it, just as every ounce of information I gave Wayne Stinnett was proven to be true. So I'm hoping you can recollect back to that day and try to remember the statements Judge Gore made after your closing statements specifically stating you felt Mr. Long really wasn't being treated fairly in this hearing. Which really contradicted your statements in your text messages to Richard April 14, 2023, stating clearly "If i were you fair or not i would take the deal", you went on to explain why you would not be defending him at that revocation hearing the following Monday morning April 17, 2023. You also explained why you would still show up to the hearing, I believe your words were "because the judge will make me, really for her convenience". There's a lot of information that comes out of an investigation and I've asked you before for a list of exactly what money you received from both Richard and I as well as exactly what you did to defend him. I am wanting to know when was it that you notified DA Kyle Long that your client Richard Long and his lead man at Rae stated there is an entire day of what very well could be exculpatory evidence missing. Exactly when did you begin to investigate and look into this missing video evidence that you were notified of not only by myself but by Richard and Lester when Lester accompanied Richard and myself into your office September 27, 2022 at 1030 am. Also I'm very curious why at the discovery hearing when James Serine testified and Richard did not agree with his testimony and not only verbally but wrote down Mr. Serine was in fact lying and asked you to let him testify for himself to bring out this missing evidence everyone including you seemed to be ignoring. I'm also curious why you felt that withholding all the documented proof of Richard's innocence that I attempted to give you was better kept quiet from the revocation hearing, I believe your words were "save that for the trial". When in fact had you actually defended your client the day of April 17, 2023, there's absolute proof you could have shown the Judge that she did not have all the facts correct and ask for the hearing to be dismissed altogether. After Lester's testimony everyone in that courtroom knew there was missing exculpatory evidence. I'm also curious what was discussed in Judge Gore's chambers after Lester's testimony and before recess. Judge Gore specifically called you and Kyle Long into her chambers to discuss what I can only assume was Lester's testimony and definite indication there is a day missing from video evidence. I'm curious whose idea was it exactly to proceed as if Lester never testified? I'm curious why you didn't call a Brady violation when it was found that Mayes County Sheriff's office received a police report with more than Richard's name listed as well as TWO days of video surveillance. Oh that's right, you never questioned Mayes County Sheriff's office, Rae Corporation or Kyle Long as to where this evidence is, this lead man of Richard's, Lester Swearingin is speaking of. You knew Lester's witness statement to you Sept 27, 2022 and the hearing wasn't until April 17, 2023. So I must ask you, do you truly believe you actually defended your client from day 1? I would like to see the documented proof where you raised this issue to the prosecution. I already have the documented proof you didn't raise this issue with the judge during the April 17th hearing. You gently let her know you felt this was unfair and an error in judgement for Mr Long's case. However there is even a notation in transcripts that you did not seem to have a problem with this ruling against your client that you stated you felt was an error in judgment and wrong. You let Mr Long down tremendously in this case and at that hearing and it all stemmed from you being disappointed over money and you didn't believe you would receive any more money. But you did, didn't you sir? The morning of April 17th 2023, I stopped and withdrew the cash Richard agreed with you he would bring to keep good standing with you. However even with your excuse for your behavior in the hearing being you were not paid enough money, exactly what is your excuse for not following up on discovery about missing evidence back in September 2022?

I told you the week he was railroaded by his own lawyer during a revocation hearing, I would get the truth and I would find justice for my husband. If you're so upset over money I have a great job now and I own my own stuff, get me an itemized list of debits and credits on Richard's defense account. I would be glad to see where exactly we owed you for anything. I mean after all Richard is really only setting in Clara Waters because you didn't get paid enough so I guess maybe if I pay you more he will get out? hmmm doubtful...i can't say Richard always kept his word to pay you but i absolutely can say i did. You refused to discuss anything with me even after Richard stated to you, you could. You never answered the many emails I sent you explaining where and how you can get the proof we need to clear him in this matter, The way i see it and apparently a few other people too, you had no intentions to defend Richard Long at all, you simply took his payments and let "Mayes County do what Mayes County wanted to do"

[Quoted text hidden]





**OKLAHOMA**  
State Courts Network

(EXOSCIN)

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## IN THE DISTRICT COURT IN AND FOR MAYES COUNTY, OKLAHOMA

STATE OF OKLAHOMA VS. LONG, RICHARD WILLIAM	<b>No. CF-2016-00251</b> <b>(Criminal Felony)</b>  <b>Filed: 06/21/2016</b>  <b>Judge: Unassigned</b>
---	--

## PARTIES

LONG, RICHARD WILLIAM, Defendant  
 BALLARD, MATTHEW J, DISTRICT ATTORNEY  
 FISHER, THOMAS, ARRESTING OFFICER  
 CHOUTEAU POLICE DEPARTMENT, ARRESTING AGENCY

## ATTORNEYS

None

## EVENTS

Event	Party	Docket	Reporter
Tuesday, June 21, 2016 at 13:30:00.000 CDT INITIAL APPEARANCE			
Thursday, August 25, 2016 at 09:30:00.000 CDT PRELIMINARY HEARING SOUNDING DOCKET			
Thursday, November 3, 2016 at 14:00:00.000 CDT PRELIMINARY HEARING - G			
Wednesday, January 11, 2017 at 13:35:00.000 CST DISTRICT COURT ARRAIGNMENT			
Monday, February 13, 2017 at 09:30:00.000 CST DISPOSITION DOCKET - MC			
Wednesday, March 8, 2017 at 13:01:00.000 CST COMMUNITY SENTENCING - STAFFING			
Tuesday, March 21, 2017 at 13:30:00.000 CDT DISPOSITION DOCKET - MC			

Event	Party	Docket	Reporter
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Wednesday, April 12, 2017 at 13:35:00.000 CDT

FELONY MOTION DOCKET

Tuesday, May 9, 2017

GUILTY PLEA

Tuesday, May 9, 2017

RFAR - INTERNAL CODE CA/AR

Tuesday, May 9, 2017

RULE 8 PAYMENT PLAN

Tuesday, May 9, 2017 at 13:35:00.000 CDT

DISPOSITION DOCKET - MC

Tuesday, May 9, 2017 at 13:35:00.000 CDT

COMMUNITY SENTENCING - STAFFING

Thursday, May 25, 2017

LW - BALANCE CHECKED

Tuesday, May 30, 2017

AS - J&S GIVEN TO DEPUTY CLERK

Thursday, December 12, 2019

TAX INTERCEPT ADD

Tuesday, March 23, 2021

TAX INTERCEPT ADD

Wednesday, December 29, 2021

APPLICATION TO REVOKE

Wednesday, December 29, 2021

ISSUE WARRANT OF ARREST/APP TO REVOKE

Thursday, February 10, 2022 at 09:30:00.000 CST

TRAILING FELONY

Thursday, February 10, 2022 at 09:30:00.000 CST

PRELIMINARY HEARING SOUNDING DOCKET

Thursday, February 10, 2022 at 09:30:00.000 CST

APP TO REVOKE HEARING

Thursday, April 14, 2022 at 14:00:00.000 CDT

PRELIMINARY HEARING - S

Thursday, April 14, 2022 at 14:00:00.000 CDT

APP TO REVOKE HEARING

Thursday, April 14, 2022 at 14:00:00.000 CDT

TRAILING FELONY

Thursday, May 12, 2022 at 09:30:00.000 CDT

PRELIMINARY HEARING SOUNDING DOCKET

Thursday, May 12, 2022 at 09:30:00.000 CDT

APP TO REVOKE HEARING

Thursday, May 12, 2022 at 09:30:00.000 CDT

TRAILING FELONY

Thursday, June 16, 2022 at 09:30:00.000 CDT

PRELIMINARY HEARING SOUNDING DOCKET

Event	Party	Docket	Reporter
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Thursday, June 16, 2022 at 09:30:00.000 CDT

APP TO REVOKE HEARING

Thursday, June 16, 2022 at 09:30:00.000 CDT

TRAILING FELONY

Monday, August 8, 2022

TAX INTERCEPT ADD

Friday, August 26, 2022 at 14:00:00.000 CDT

PRELIMINARY HEARING - S

Friday, August 26, 2022 at 14:00:00.000 CDT

APP TO REVOKE HEARING

Friday, August 26, 2022 at 14:00:00.000 CDT

TRAILING FELONY

Friday, September 30, 2022 at 14:00:00.000 CDT

COURT'S RULING ON PRELIMINARY HEARING

Friday, September 30, 2022 at 14:00:00.000 CDT

TRAILING FELONY

Friday, September 30, 2022 at 14:00:00.000 CDT

APP TO REVOKE HEARING

Wednesday, November 2, 2022 at 10:35:00.000 CDT

DISTRICT COURT ARRAIGNMENT

Wednesday, November 2, 2022 at 10:35:00.000 CDT

TRAILING FELONY

Wednesday, November 2, 2022 at 10:35:00.000 CDT

APP TO REVOKE HEARING

Monday, March 6, 2023 at 13:30:00.000 CST

FELONY JURY SOUNDING DOCKET

Monday, March 6, 2023 at 13:30:00.000 CST

APP TO REVOKE HEARING

Monday, March 6, 2023 at 13:30:00.000 CST

TRAILING FELONY

Monday, April 17, 2023

GUILTY PLEA

Monday, April 17, 2023 at 09:30:00.000 CDT

APP TO REVOKE HEARING

Friday, April 21, 2023

BG - BALANCE CHECKED

Monday, April 24, 2023

BG - J&S GIVEN TO DEPUTY CLERK

Friday, October 13, 2023

TAX INTERCEPT ADD

Friday, April 5, 2024

TRANSCRIPT RETURNED

## COUNTS

1. DOMESTIC ASSAULT & BATTERY BY STRANGULATION OR ATTEMPTED (AFCF)
2. DOMESTIC ASSAULT & BATTERY IN PRESENCE OF MINOR/CHILD
3. KIDNAPPING - AFCF

## DOCKET

<b>Date</b>	<b>Code</b>	<b>Description</b>	
<b>06/21/2016</b>	<b>[ TEXT ]</b>		<b>\$ 103.00</b>
		FILE, ENTER AND RECORD INFORMATION CT1	
		Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office	
		*FIRST AMENDED INFO FILED 8-25-16*	\$ 5.00
		LAW LIBRARY	\$ 6.00
		CLEET	\$ 9.00
		10% OF CLT9	\$ 0.90
		AFS1	\$ 5.00
		10% OF AFS1	\$ 0.50
		STATE TREASURER FORENSIC FEE	\$ 5.00
		10% OF FORE	\$ 0.50
		MEDICAL EXPENSE LIABILITY REVOLVING FUND	\$ 10.00
		10% OF MERF	\$ 1.00
		DISTRICT ATTORNEYS REVOLVING FUND - DACF-EFF. 11-01-03	\$ 25.00
		10% OF DARF	\$ 2.50
		OKLAHOMA COURT INFORMATION SYSTEM FEE - EFF. 07-01-04	\$ 25.00
		SHERIFF SERVICE FEE-COURTHOUSE SECURITY SUB ACCOUNT	\$ 10.00
		10% OF COURTHOUSE SECURITY FEE	\$ 1.00
		MINIMUM VCA	\$ 50.00
		10% VCAF	\$ 5.00
		ATTORNEY GENERAL VICTIM SERVICES UNIT	\$ 3.00
		10% OF AG VICTIM SERVICES FEE	\$ 0.30
		CHILD ABUSE MULTIDISCIPLINARY ACCOUNT	\$ 3.00
		10% OF CAMA FEE	\$ 0.30
		COURT REPORTER FEE	\$ 20.00
		OCIS FOR COURT REPORTER FEE	\$ 25.00
<b>06/21/2016</b>	<b>[ TEXT ]</b>		<b>\$ 83.00</b>
		FILE, ENTER, RECORD INFORMATION CT2	
		LAW LIBRARY	\$ 6.00
		DA COUNCIL PROSECUTION ASSESSMENT	\$ 15.00
		10% OF DACM	\$ 1.50



OCIS REVOLVING FUND	\$ 25.00
SHERIFF SERVICE FEE FOR COURTHOUSE SECURITY	\$ 10.00
10% OF CHS	\$ 1.00
AG VICTIM'S SERVICES UNIT	\$ 3.00
10% OF AG	\$ 0.30
CHILD ABUSE MULTIDISCIPLINARY ACCOUNT	\$ 3.00
10% OF CAMA/DHS	\$ 0.30
TRAUMA CARE ASSESSMENT	\$ 10.00
10% OF TCRF	\$ 1.00
SHERIFF SERVICE FEE ON ARRESTS	\$ 5.00
CLEET ASSESSMENT	\$ 9.00
10% OF CLT9	\$ 0.90
AFIS FEE	\$ 5.00
10% OF AFS5	\$ 0.50
FORENSIC SCIENCE IMPROVEMENT ASSESSMENT	\$ 5.00
10% OF FORE	\$ 0.50
MEDICAL EXPENSE LIABILITY REVOLVING FUND	\$ 10.00
10% OF MERF	\$ 1.00
MINIMUM VCA	\$ 30.00
10% OF VCAM	\$ 3.00

**06/21/2016 [ TEXT ]**

CM DH (GORE) CSR SLOAN; ADA WALTERS; DEFENDANT PRESENT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
PRO SE. CASE COMES ON FOR AN INITIAL APPEARANCE.  
DEFENDANT ACKNOWLEDGES RECEIPT OF INFORMATION. ON  
BEHALF OF THE DEFENDANT COURT ENTERS A PLEA OF NOT  
GUILTY ON THE MISDEMEANOR COUNTS. COURT ORDERS CASE SET  
ON 8-25-16 @ 9:30 A.M. FOR THE PRELIMINARY HEARING  
SOUNDING DCOKET. DEFENDANT IS ORDERED TO REAPPEAR ON  
ABOVE DATE WITH AN ATTORNEY. DEFENDANT IS ADVISED NOT  
TO WAIT UNTIL THAT DATE TO RETAIN AN ATTORNEY. BOND IS  
SET IN THE AMOUNT OF \$50,000.00 WITH THE CONDITION OF  
ABSOLUTELY NO CONTACT WITH THE VICTIM OR THE MINOR  
CHILDREN IN THE CASE. DEFENDANT IS REMANDED TO THE  
MAYES COUNTY JAIL UNTIL BOND IS POSTED.

**07/07/2016 [ TEXT ]**

APPLICATION FOR APPOINTED COUNSEL/APPROVED/DEFERRED  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

\$ 40.00

**07/07/2016 [ TEXT ]****\$ 250.00****NOTICE OF APPOINTMENT OF ATTORNEY/FELONY/PLEA/STIPULATION**

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

TO REVOCATION/

10% OF OIDS TO COURT CLERK REVOLVING FUND

**\$ 25.00**

15% TO DISTRICT COURT REVOLVING FUND

**\$ 3.75****07/08/2016 [ TEXT ]****ASSERTION OF DEFENDANT'S RIGHT TO SPEEDY TRIAL**

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**07/08/2016 [ TEXT ]****FIRST REQUEST FOR DISCOVERY**

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**07/11/2016 [ TEXT ]****ENTRY OF APPEARANCE (GLEN DRESBACK)**

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**07/11/2016 [ TEXT ]****DEFENDANT'S MOTION FOR DISCOVERY**

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**08/03/2016 [ TEXT ]****\$ 33.75**

COSTS FOR 7-7-16

**08/25/2016 [ TEXT ]****\*FIRST AMENDED INFO FILED\***

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**08/25/2016 [ TEXT ]****\$ 103.00**

####FILE, ENTER AND RECORD INFORMATION CT3

(Entry with fee only)

**\$ 5.00**

LAW LIBRARY

**\$ 6.00**

CLEET

**\$ 9.00**

10% OF CLT9

**\$ 0.90**

AFS1

**\$ 5.00**

10% OF AFS1

**\$ 0.50**

STATE TREASURER FORENSIC FEE

**\$ 5.00**

10% OF FORE

**\$ 0.50**

MEDICAL EXPENSE LIABILITY REVOLVING FUND

**\$ 10.00**

10% OF MERF

**\$ 1.00**

DISTRICT ATTORNEYS REVOLVING FUND - DACF-EFF. 11-01-03

**\$ 50.00**

10% OF DARF

**\$ 5.00**

OKLAHOMA COURT INFORMATION SYSTEM FEE - EFF. 07-01-04

**\$ 25.00**

SHERIFF SERVICE FEE-COURTHOUSE SECURITY SUB ACCOUNT

**\$ 10.00**

10% OF COURTHOUSE SECURITY FEE

**\$ 1.00**

MINIMUM VCA

**\$ 50.00**

10% VCAF	\$ 5.00
ATTORNEY GENERAL VICTIM SERVICES UNIT	\$ 3.00
10% OF AG VICTIM SERVICES FEE	\$ 0.30
CHILD ABUSE MULTIDISCIPLINARY ACCOUNT	\$ 3.00
10% OF CAMA FEE	\$ 0.30
COURT REPORTER FEE	\$ 20.00
OCIS FOR COURT REPORTER FEE	\$ 25.00

**08/25/2016 [ TEXT ]**

CMAC (GORE) CSR:C.SLOAN. ADA:M.WALTERS. DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS WITH ATTORNEY GLEN DRESBACK. CASE COMES ON FOR  
THE PRELIMINARY HEARING SOUNDING DOCKET. DEFENDANT  
ACKNOWLEDGES RECEIPT OF 1ST AMENDED INFORMATION. COURT  
ORDERS CASE AMENDED BY INTERLINEATION TO SHOW THE  
DEFENDANT'S CORRECT ADDRESS AS "127 QUAIL DRIVE PRYOR  
OK, 74361." DEFENDANT ENTERS PLEA OF NOT GUILTY. COURT  
ORDERS CASE SET ON 11-3-16 @ 2:00 P.M. FOR PRELIMINARY  
HEARING. DEFENDANT IS TO REAPPEAR ON THE ABOVE DATE  
WITH ATTORNEY. DEFENDANT IS REMANDED TO THE MAYES  
COUNTY JAIL UNTIL BOND IS POSTED.

**10/11/2016 [ TEXT ]**

\$ 675.00

COST OF INCARCERATION TOTAL CLAIMED \$2477.00  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
EXCEEDS MAXIMUM ALLOWED PER MI-2010-10-MAXIMUM ENTERED  
(Entry with fee only)  
15% TO DISTRICT COURT REVOLVING FUND

\$ 75.00

\$ 75.00

\$ 112.50

**10/11/2016 [ TEXT ]**

\$ 35.00

APPEARANCE/APPROVING BOND  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
BONDSMANS NAME: BOB TAYLOR  
BOND AMOUNT: \$50,000.00  
POWER NUMBER ON BOND: BT 602

**10/11/2016 [ TEXT ]**

ISSUE RELEASE (MCSO)

**10/14/2016 [ TEXT ]**

RETURN RELEASE (MCSO)  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**10/18/2016 [ TEXT ]**

MOTION/ORDER TO ENDORSE ADDITIONAL WITNESS(ES)  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

**10/25/2016 [ TEXT ]****\$ 50.00**

RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

(Entry with fee only)

**\$ 25.00****11/03/2016 [ TEXT ]****\$ 50.00**

RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

(Entry with fee only)

**\$ 25.00****11/03/2016 [ TEXT ]****\$ 50.00**

RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

(Entry with fee only)

**\$ 25.00****11/03/2016 [ TEXT ]****\$ 50.00**

RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

(Entry with fee only)

**\$ 25.00****11/03/2016 [ TEXT ]****\$ 50.00**

RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

(Entry with fee only)

**\$ 25.00****11/03/2016 [ TEXT ]**

CM:LM (GORE) CSR: C. SLOAN; ADA: M. WALTERS.

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

DEFENDANT APPEARS WITH ATTORNEY, GLEN DRESBACK. CASE COMES ON FOR PRELIMINARY HEARING. DEFENDANT IS SWORN AND ADVISED OF RIGHTS AND THE RIGHT TO A PRELIMINARY HEARING. DEFENDANT WAIVES PRELIMINARY HEARING. COURT FINDS DEFENDANT'S WAIVER TO BE ENTERED FREELY AND VOLUNTARILY AND ACCEPTS WAIVER. DEFENDANT WAIVES 30 DAYS FOR DISTRICT COURT ARRAIGNMENT. CASE IS SET 1/11/17 AT 1:30 PM FOR DISTRICT COURT ARRAIGNMENT. DEFENDANT IS TO APPEAR ON ABOVE DATE WITH AN ATTORNEY. DEFENDANT IS TO REMAIN ON CURRENT BOND.

**01/11/2017 [ TEXT ]**

CM;DM FOR AS (MCBRIDE) CSR RUIZ; ADA SURBER;

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

DEFENDANT PRESENT WITH ATTORNEY CHARLES RAMSEY STANDING IN FOR ATTORNEY MISTY FIELDS. CASE COMES ON FOR DISTRICT COURT ARRAIGNMENT. DEFENDANT ADVISED OF RIGHTS. DEFENDANT ACKNOWLEDGES RECEIPT OF INFORMATION AND WAIVES FORMAL READING. DEFENDANT ENTERS A PLEA OF

FINDS THE DEFENDANT IS MENTALLY COMPETENT. COURT FINDS THE DEFENDANT HAS KNOWINGLY AND VOLUNTARILY ENTERED WAIVER. COURT ORDERS CASE SET ON 2-13-17 @ 9:30 A.M. FOR DISPOSITION. DEFENDANT IS ORDERED TO REAPPEAR ON ABOVE DATE WITH ATTORNEY. DEFENDANT IS ALLOWED TO REMAIN FREE ON CURRENT BOND.

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**02/13/2017 [ TEXT ]**

CM:LM (MCBRIDE) CSR: L. RUIZ; ADA: K. LONG  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
DEFENDANT APPEARS WITH ATTORNEY M. FIELDS. CASE COMES ON FOR DISPOSITION. UPON MOTION OF THE DEFENSE CASE IS CONTINUED TO 3/21/17 AT 1:30 PM FOR DISPOSITION. DEFENDANT IS ORDERED TO APPEAR ON ABOVE DATE WITH AN ATTORNEY. COURT ORDERS LSI ASSESSMENT. ATTORNEY TO SUBMIT THE ORDER FOR A SIGNATURE.

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**02/23/2017 [ TEXT ]**

ORDER TO CONDUCT LSI-R  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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**03/08/2017 [ TEXT ]**

CM: LM (MCBRIDE) NO CSR; ADA: K. LONG. ATTORNEY, MISTY  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
FIELDS APPEARS ON BEHALF OF DEFENDANT. CASE COMES ON FOR C.S. STAFFING. STAFF IS IN RECEIPT OF DEFENDANT'S LSI-R ASSESSMENT. UPON AGREEMENT OF STAFF, DEFENDANT IS APPROVED INTO THE MAYES COUNTY C.S. PROGRAM. THIS CASE HAS PREVIOUSLY BEEN SET FOR PLEA ON 3/21/17 AT 1:30 PM.

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**03/21/2017 [ TEXT ]**

CM DM (MCBRIDE) CSR RUIZ; ADA; MCCLAREN; DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
PRESENT WITH ATTORNEY MISTY FIELDS. CASE COMES ON FOR DISPOSITION. DEFENDANT SWORN. DEFENDANT ADVISED OF RIGHTS. DEFENDANT ENTERS A PLEA OF GUILTY. PLEA OF GUILTY IS WITHDRAWN. COURT ORDERS CASE SET ON 4-12-17 @ 1:30 P.M. ON THE FELONY MOTION DOCKET. DEFENDANT IS ORDERED TO REAPPEAR ON ABOVE DATE WITH ATTORNEY. DEFENDANT IS ALLOWED TO REMAIN FREE ON CURRENT BOND.

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**04/12/2017 [ TEXT ]**

CM;DM (MCBRIDE) CSR RUIZ; ADA LONG; DEFENDANT PRESENT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office



FELONY MOTION DOCKET. COURT ORDERS CASE SET ON 5-9-17 @  
1:30 P.M. FOR DISPOSITION INTO C.S. DEFENDANT IS  
ORDERED TO REAPPEAR ON ABOVE DATE WITH ATTORNEY.  
DEFENDANT IS ALLOWED TO REMAIN FREE ON CURRENT BOND.

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**05/09/2017 [ TEXT ]**

PLEA OF GUILTY / SUMMARY OF FACTS  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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**05/09/2017 [ TEXT ]**

ADDENDUM A  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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**05/09/2017 [ TEXT ]**

FORM 13.8(A) ADDITIONAL FINDINGS AT TIME OF SENTENCING  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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**05/09/2017 [ TEXT ]**

FORM 08-651, PADILLA V. KENTUCKY  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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**05/09/2017 [ TEXT ]**

ASSET DISCLOSURE INFORMATION / AFFIDAVIT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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**05/09/2017 [ TEXT ]**

CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION IN  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
CRIMINAL PROCEEDINGS.

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**05/09/2017 [ TEXT ]**

CM/LM (MCBRIDE) CSR: L. RUIZ; ADA: K. LONG  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
CASE COMES ON FOR PLEA INTO THE C.S. PROGRAM  
UPON MOTION OF THE STATE CT 3 IS DISMISSED COSTS TO  
THE STATE.  
SUCCESSFUL:  
CT 1: 10 YEARS DEPARTMENT OF CORRECTIONS ALL SUSPENDED,  
\$500.00 FINE, \$250.00 VCA AND COSTS  
CT 2: 1 YEAR IN THE MAYES COUNTY JAIL ALL SUSPENDED,  
\$250.00 FINE, \$75.00 VCA AND COSTS.  
COUNTS 1 & 2 TO RUN CONCURRENT WITH E/OTHER.  
UNSUCCESSFUL:  
CT 1: 10 YEARS TO BE SERVED IN THE DEPARTMENT OF  
CORRECTIONS, \$500.00 FINE, \$250.00 VCA AND COSTS.  
CT 2: 1 YEAR TO BE SERVED IN THE MAYES COUNTY JAIL.  
\$250.00 FINE, \$75 VCA AND COSTS.

(SEE FULL MINUTE)

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05/10/2017 [ TEXT ]

ORDER TO APPEAR

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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05/11/2017 [ TEXT ]

RULE 8 HEARING ORDER (SEE DATES BOX)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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05/17/2017 [ TEXT ]

JUDGMENT AND SENTENCE

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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05/25/2017 [ TEXT ]

COSTS FOR 7-7-16, 8-3-16, 10-11-16, 5-9-17

\$ -3.75

(Entry with fee only)

\$ -33.75

(Entry with fee only)

\$ -112.50

(Entry with fee only)

\$ 500.00

(Entry with fee only)

\$ 200.00

(Entry with fee only)

\$ 20.00

(Entry with fee only)

\$ 250.00

(Entry with fee only)

\$ 45.00

(Entry with fee only)

\$ 4.50

CT3

\$ -103.00

(Entry with fee only)

\$ -5.00

LAW LIBRARY

\$ -6.00

CLEET

\$ -9.00

10% OF CLT9

\$ -0.90

AFS1

\$ -5.00

10% OF AFS1

\$ -0.50

STATE TREASURER FORENSIC FEE

\$ -5.00

10% OF FORE

\$ -0.50

MEDICAL EXPENSE LIABILITY REVOLVING FUND

\$ -10.00

10% OF MERF

\$ -1.00

DISTRICT ATTORNEYS REVOLVING FUND - DACF-EFF. 11-01-03

\$ -50.00

10% OF DARF

\$ -5.00

OKLAHOMA COURT INFORMATION SYSTEM FEE - EFF. 07-01-04

\$ -25.00

SHERIFF SERVICE FEE-COURTHOUSE SECURITY SUB ACCOUNT

\$ -10.00

10% OF COURTHOUSE SECURITY FEE

\$ -1.00

MINIMUM VCA

\$ -50.00

10% VCAF

\$ -5.00

ATTORNEY GENERAL VICTIM SERVICES UNIT

\$ -3.00

10% OF AG VICTIM SERVICES FEE	\$ -0.30
CHILD ABUSE MULTIDISCIPLINARY ACCOUNT	\$ -3.00
10% OF CAMA FEE	\$ -0.30
COURT REPORTER FEE	\$ -20.00
OCIS FOR COURT REPORTER FEE	\$ -25.00

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<b>12/04/2017 [ TEXT ]</b>	\$ -1.00
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 1.00

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<b>01/12/2018 [ TEXT ]</b>	\$ -0.03
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
(Entry with fee only)	\$ -0.97
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 1.00

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<b>03/14/2018 [ TEXT ]</b>	\$ -1.00
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 1.00

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<b>04/18/2018 [ TEXT ]</b>	\$ -2.69
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
(Entry with fee only)	\$ -0.31
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 3.00

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<b>06/06/2018 [ TEXT ]</b>	
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CM:LM (MCBRIDE) NO CSR; ADA: K. LONG. CASE COMES ON  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
FOR C.S. STAFFING. DEFENDANT HAS SUCCESSFULLY COMPLETED  
THE C.S. PROGRAM AND UPON AGREEMENT OF STAFF IS  
APPROVED TO GRADUATE.

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<b>06/06/2018 [ TEXT ]</b>	
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COMMUNITY SENTENCING GRADUATION  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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<b>08/10/2018 [ TEXT ]</b>	\$ -1.00
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 1.00

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<b>12/10/2018 [ TEXT ]</b>	\$ -0.69
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
(Entry with fee only)	\$ -0.30
(Entry with fee only)	\$ -0.01
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 1.00

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<b>07/15/2019 [ TEXT ]</b>	\$ -3.00
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AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
AJE: COST DUE TO CARD ALLOCATION FEE	\$ 3.00

AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED

AJE: COST DUE TO CARD ALLOCATION FEE \$ 1.00

12/12/2019 [ TEXT ] \$ 10.00

TAX INTERCEPT CASE ADD LIST TO OTC

02/05/2020 [ TEXT ] \$ -0.25

AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED

(Entry with fee only) \$ -2.75

AJE: COST DUE TO CARD ALLOCATION FEE \$ 3.00

03/23/2021 [ TEXT ] \$ 10.00

TAX INTERCEPT CASE ADD LIST TO OTC

12/29/2021 [ TEXT ]

MOTION TO REVOKE SUSPENDED SENTENCE

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

12/29/2021 [ TEXT ]

ORDER FOR REVOCATION HEARING AND FOR WARRANT OF ARREST

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

COURT REPORTER FEE \$ 20.00

(Entry with fee only) \$ 25.00

12/29/2021 [ TEXT ] \$ 50.00

ISSUE WARRANT OF ARREST (MCSO) \$10,000.00

(Entry with fee only) \$ 25.00

12/30/2021 [ TEXT ] \$ 35.00

PERSONAL RECOGNIZANCE BOND

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

12/30/2021 [ TEXT ]

PROOF OF RECALL (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

12/30/2021 [ TEXT ]

CM;BG (STOUT) NO CSR. ADA: WATERS; DEFENDANT APPEARS

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

WITH ATTORNEY NOAH SEARS MAKING HIS ENTRY OF APPEARANCE.

CASE COMES ON INSTANTER FOR INITIAL APPEARANCE ON A

MOTION TO REVOKE. DEFENDANT ACKNOWLEDGES RECEIPT OF

INFORMATION AND ADVISED OF RIGHTS. COURT ORDERS WARRANT

OF ARREST RECALLED. COURT ORDERS CASE SET TO TRAIL

CF-21-212 ON 2-10-22 AT 9:30 P.M. FOR A MOTION TO

REVOKE HEARING. DEFENDANT ORDERED TO REAPPEAR ON THE

ABOVE DATE WITH ATTORNEY. DEFENDANT SIGNS A PERSONAL

RECOGNIZANCE BOND. DEFENDANT ALLOWED TO REMAIN FREE ON

CURRENT BOND.

RETURN WARRANT OF ARREST (MCSO)MTN TO REV  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
RECALLED 12-30-2021

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02/10/2022 [ TEXT ]

CM;CNP (STOUT) CSR:NONE; ADA:K.HUNTER; DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS. ATTORNEY NOAH SEARS MAKING HIS ENTRY OF  
APPEARANCE. CASE COMES ON TRAILING CF-21-212. AT  
DEFENDANT'S REQUEST WITH NO OBJECTION FROM THE STATE,  
COURT ORDERS CASE TO CONTINUE TO TRAIL ON 4-14-22 @  
2:00 P.M. DEFENDANT ORDERED TO REAPPEAR ON THE ABOVE  
DATE WITH ATTORNEY. DEFENDANT ALLOWED TO REMAIN FREE ON  
CURRENT BOND.

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04/12/2022 [ TEXT ]

\$ -0.38

AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED  
(Entry with fee only)  
AJE: COST DUE TO CARD ALLOCATION FEE

\$ -0.87

\$ 1.25

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04/14/2022 [ TEXT ]

CM CNP (STOUT) CSR:D.MARTIN; ADA:K.HUNTER; DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS. ATTORNEY NOAH SEARS APPEARS NOT. CASE COMES  
ON TRAILING CF-21-212. AT STATE'S REQUEST WITH NO  
OBJECTION FROM THE DEFENDANT, COURT ORDERS CASE TO  
CONTINUE TO TRAIL ON 5-12-22 @ 9:30 A.M. DEFENDANT  
ORDERED TO REAPPEAR ON THE ABOVE DATE WITH ATTORNEY.  
DEFENDANT ALLOWED TO REMAIN FREE ON CURRENT BOND.

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05/09/2022 [ TEXT ]

\$ -2.50

AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED  
AJE: COST DUE TO CARD ALLOCATION FEE

\$ 2.50

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05/12/2022 [ TEXT ]

CM\CL (STOUT) NO CSR. ADA:Z.CABELL/K.HUNTER. DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS OUT OF CUSTODY WITH ATTORNEY JEFFREY PRICE  
APPEARING ON BEHALF OF ATTORNEY NOAH SEARS. CASE COMES  
TRAILING CF-21-212. COURT ORDERS CASE TO CONTINUE TO  
TRAIL ON 6-16-22 AT 9:30 A.M. DEFENDANT IS ORDERED TO  
REAPPEAR ON THE ABOVE DATE WITH ATTORNEY. DEFENDANT  
ALLOWED TO REMAIN ON CURRENT BOND.

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CM;CNP (STOUT) CSR:NONE; ADA:K.HUNTER; DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS WITH ATTORNEY JEFFREY PRICE. CASE COMES ON  
TRAILING CF-20-211. AT DEFENDANT'S REQUEST, COURT  
ORDERS CASE TO CONTINUE TO TRAIL ON 8-26-22 @ 2:00  
P.M. DEFENDANT ORDERED TO REAPPEAR ON THE ABOVE DATE  
WITH ATTORNEY. DEFENDANT ALLOWED TO REMAIN FREE ON  
CURRENT BOND.

08/08/2022 [ TEXT ]

\$ 10.00

TAX INTERCEPT CASE ADD LIST TO OTC

08/26/2022 [ TEXT ]

CM\CL (STOUT) CSR:D.MARTIN. ADA:K.LONG. DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS OUT OF CUSTODY WITH ATTORNEY JEFFREY PRICE.  
CASE COMES ON TRAILING CF-20-211. COURT ORDERS CASE TO  
CONTINUE TO TRAIL ON 9-30-22 AT 2:00 P.M. DEFENDANT IS  
ORDERED TO REAPPEAR ON THE ABOVE DATE WITH ATTORNEY.  
DEFENDANT ALLOWED TO REMAIN ON CURRENT BOND.

*Richard W.  
Long was never  
allowed to speak  
he asked Jeff,  
Jeff refused  
twice.*

08/29/2022 [ TEXT ]

\$ -0.25

AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED

(Entry with fee only)

\$ -1.75

AJE: COST DUE TO CARD ALLOCATION FEE

\$ 2.00

09/30/2022 [ TEXT ]

CM CNP (STOUT) CSR:D.MARTIN; ADA:Z.CABELL/  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
K.HUNTER/K.LONG; DEFENDANT APPEARS. ATTORNEY JEFF  
PRICE APPEARS FOR ATTORNEY NOAH SEARS. CASE COMES ON  
TRAILING CF-21-212. AT DEFENDANT'S REQUEST, COURT  
ORDERS CASE TO CONTINUE TO TRAIL ON 11-2-22 @ 10:30 A.M.  
DEFENDANT ORDERED TO REAPPEAR ON THE ABOVE DATE WITH  
ATTORNEY. DEFENDANT ALLOWED TO REMAIN FREE ON CURRENT  
BOND.

11/02/2022 [ TEXT ]

CM;CNP (GORE) CSR:B.DEGARMO; ADA:K.HUNTER; DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS WITH ATTORNEY JEFFREY PRICE. CASE COMES ON  
TRAILING CF-20-212. AT DEFENDANT'S REQUEST WITH NO  
OBJECTION FROM THE STATE, COURT ORDERS CASE TO  
CONTINUE TO TRAIL ON 3-6-23 @ 1:30 P.M. DEFENDANT

ORDERED TO REAPPEAR ON THE ABOVE DATE WITH ATTORNEY.

DEFENDANT ALLOWED TO REMAIN FREE ON CURRENT BOND.

03/02/2023	[ TEXT ]	\$ -1.86
	AJE: MONIES DUE THE FOLLOWING AGENCY(IES) REDUCED	
	(Entry with fee only)	\$ -0.64
	AJE: COST DUE TO CARD ALLOCATION FEE	\$ 2.50
03/06/2023	[ TEXT ]	
	CM\CL (GORE) CSR:B.DEGARMO. ADA:K.LONG. DEFENDANT	
	Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office	
	APPEARS OUT OF CUSTODY WITH ATTORNEY JEFFREY PRICE.	
	CASE COMES ON TRAILING CF-21-212. COURT ORDERS CASE SET	
	ON 4-17-23 AT 9:30 A.M. FOR A MOTION TO REVOKE HEARING.	
	DEFENDANT ORDERED TO REAPPEAR ON THE ABOVE DATE WITH	
	ATTORNEY. DEFENDANT ALLOWED TO REMAIN ON CURRENT BOND.	
03/16/2023	[ TEXT ]	
	MOTION TO ENDORSE ADDITIONAL WITNESS(ES) / ORDER	
	Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office	
03/20/2023	[ TEXT ]	\$ 50.00
	ISSUE SUBPOENA TO MCSO (1)	
	OKLAHOMA COURT INFORMATION SYSTEM FEE	\$ 25.00
03/20/2023	[ TEXT ]	\$ 50.00
	ISSUE SUBPOENA TO MCSO (1)	
	OKLAHOMA COURT INFORMATION SYSTEM FEE	\$ 25.00
03/20/2023	[ TEXT ]	\$ 50.00
	ISSUE SUBPOENA TO MCSO (1)	
	OKLAHOMA COURT INFORMATION SYSTEM FEE	\$ 25.00
03/20/2023	[ TEXT ]	\$ 50.00
	ISSUE SUBPOENA TO MCSO (1)	
	OKLAHOMA COURT INFORMATION SYSTEM FEE	\$ 25.00
03/20/2023	[ TEXT ]	\$ 50.00
	ISSUE SUBPOENA TO MCSO (1)	
	OKLAHOMA COURT INFORMATION SYSTEM FEE	\$ 25.00
03/20/2023	[ TEXT ]	\$ 50.00
	ISSUE SUBPOENA TO MCSO (1)	
	OKLAHOMA COURT INFORMATION SYSTEM FEE	\$ 25.00
03/21/2023	[ TEXT ]	
	RETURN SUBPOENA (MCSO)	
	Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office	
03/21/2023	[ TEXT ]	
	RETURN SUBPOENA (MCSO)	
	Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office	
03/21/2023	[ TEXT ]	
	RETURN SUBPOENA (MCSO)	
	Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office	

Richard was still refused by Jeff Price to be able to speak for himself to anyone got to speak myes co tru Steven Brown

These are State Subpoena's  
NOTE By Jeff Price as he stated in his motion to withdraw



RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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03/21/2023 [ TEXT ]

RETURN SUBPOENA (MCSO)

Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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04/13/2023 [ TEXT ]

NOTICE OF FILING- TRANSCRIPT OF PROCEEDINGS HAD ON  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
SEPTEMBER 30, 2022 BEFORE THE HONORABLE JUDGE  
JACQUELINE STOUT. (1 ORIGINAL, 2 COPIES)

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04/13/2023 [ TEXT ]

NOTICE OF FILING- TRANSCRIPT OF PROCEEDINGS HAD ON  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
AUGUST 26, 2022 BEFORE THE HONORABLE JUDGE JACQUELINE  
STOUT (1 ORIGINAL, 2 COPIES)

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04/17/2023 [ TEXT ]

MOTION FOR CONTINUANCE  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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04/17/2023 [ TEXT ]

MOTION FOR WITHDRAW  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

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04/17/2023 [ TEXT ]

CM/CL (GORE) CSR:B.DEGARMO. ADA:K.LONG. DEFENDANT  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
APPEARS OUT OF CUSTODY WITH ATTORNEY JEFFREY PRICE.  
CASE COMES ON FOR A MOTION TO REVOKE HEARING. STATE'S  
EXHIBIT'S A, B AND 1 ARE RECEIVED AS EVIDENCE, WITH NO  
OBJECTION BY THE DEFENDANT. STATE RESTS. DEFENDANT'S  
EXHIBIT'S 1A, 1B, 1C, 1D, 2 AND 3 ARE RECEIVED AS  
EVIDENCE, WITH NO OBJECTION BY THE STATE. DEFENDANT'S  
WITNESSES SWORN AND TESTIMONY HEARD. DEFENDANT RESTS.  
COURT'S IN RECESS. COURT IS BACK IN SESSION. CLOSING  
ARGUMENTS FROM THE DEFENDANT IS HEARD. STATE'S RESPONSE  
TO THE DEFENDANT'S CLOSING ARGUMENT IS THAT THE STATE  
STANDS ON THE EVIDENCE PROVIDED. AFTER REVIEWING ALL  
THE EVIDENCE PROVIDED BY THE STATE AND THE DEFENDANT,  
COURT FINDS THAT THE STATE HAS MET ITS BURDEN AND THAT  
THE DEFENDANT HAS VIOLATED THE RULES AND CONDITIONS OF  
PROBATION AND HAS PICKED UP A NEW CHARGE OF GRAND  
LARCENY IN MAYES COUNTY CASE CF-2021-212 FOR THE PURPOSE

OF THE MOTION TO REVOKE HEARING. COURT DOES TAKE UNDER

CONSIDERATION THAT THE DEFENDANT HAS NOT VIOLATED ANY  
OTHER RULES AND CONDITIONS OF PROBATION, BUT THE  
DEFENDANT DOES HAVE PRIOR FELONIES IN WHICH SOME CASES  
THE DEFENDANT HAS SERVED TIME IN THE DEPARTMENT OF  
CORRECTIONS. THEREFORE THE COURT WILL IN FACT REVOKE  
THE DEFENDANT FOR A PERIOD OF 5 YEARS IN THE DEPARTMENT  
OF CORRECTIONS. THE DEFENDANT IS ORDERED TO PAY ALL  
FINES AND COSTS AS PREVIOUSLY ORDERED AND THE COST OF  
THE ACTION. THE DEFENDANT REQUEST TO REMAIN IN THE  
MAYES COUNTY JAIL UP TO 10 DAYS. COURT ORDERS THE  
DEFENDANT REMANDED INTO CUSTODY OF THE MAYES COUNTY  
JAIL AND TO AWAIT TRANSPORT TO THE DEPARTMENT OF  
CORRECTIONS.

---

**04/21/2023 [ TEXT ]**

JUDGMENT AND SENTENCE ON MOTION TO REVOKE SUSPENDED  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
SENTENCE

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**04/24/2023 [ TEXT ]**

**\$ 249.56**

TRANSPORT FEE (381 MILES)

OKLAHOMA COURT INFORMATION SYSTEM FEE

**\$ 25.00**

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**08/01/2023 [ TEXT ]**

NOTICE OF FILING- TRANSCRIPT OF PROCEEDING HAD ON THE  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office  
17TH DAY OF APRIL, 2023 BEFORE THE HONORABLE JUDGE  
REBECCA J. GORE (1 ORIGINAL, 2 COPIES)

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**10/13/2023 [ TEXT ]**

**\$ 10.00**

TAX INTERCEPT CASE ADD LIST TO OTC

---

**04/04/2024 [ TEXT ]**

CHECKOUT OF TRANSCRIPT (CRIMINAL DIVISION) (RETURNED)  
Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF THE STATE OF  
OKLAHOMA SITTING IN AND FOR MAYES COUNTY

THE STATE OF OKLAHOMA,

Plaintiff,

vs.

RICHARD WILLIAM LONG

Last four digits of SSN: \*\*\*-\*\*-1188

DOB: February, 1970

Place of Birth:

DOC#:

Last four digits of DL#: \*\*\*\*7150

State of Issuance:

Defendant(s).

Case No. CF-2021-212

FILED IN THE DISTRICT COURT  
MAYES CO., OKLAHOMA

APR 21 2023

JENIFER CLINTON COURT CLERK  
BY  DEPUTY

JUDGMENT AND SENTENCE

Now, on this 18th day of April, 2023, this matter comes on before the undersigned Judge for sentencing and the Defendant, RICHARD WILLIAM LONG, appears personally and by his attorney, Jeffrey A Price, the State of Oklahoma represented by Kyle E Long, and the Defendant, having FOUND GUILTY: Entered a Plea of Nolo Contendere

to/of the crime(s) of: would Be found guilty in the 4-17-23 hearing, officer comes in with Doc papers at recess. I Believe this  
COUNT 1: GRAND LARCENY, a FELONY, 21 O.S. § 1705 AFTER FORMER CONVICTION OF TWO OR MORE FELONIES, committed on or about the 10th day of October, 2021 and 12th day of October, 2021. Planned

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, RICHARD WILLIAM LONG, is guilty of the above described offenses and is sentenced as follows:

TERM OF IMPRISONMENT

Count 1: Sentenced to a term of 5 years in the Oklahoma Department of Corrections; to run concurrent With CF-16-251 and receive Credit for time served

Under the custody and control of:  
Oklahoma Department of Corrections.

\* IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that in addition to the preceding terms, the Defendant is also sentenced to:

FINE

(X) The defendant shall pay a fine of:

COUNT 1 - \$100.00

(X) The defendant shall report to the District Court within 30 days of release for a hearing.

\* Total Fines, Court Costs &

VCA as of 4-18-23

\$1,407.60

*Jeff + Gore nor K. Long Believed Richard would Play. By the evidence I have given you today very screwed up believe its obvious this case was*

*Judge Gore made it clear he was planned By pros witness + Judge ?*



**COSTS, VCA AND RESTITUTION**

**COUNT 1:**

Victim Compensation Assessment \$50.00

**SPECIAL RULES AND CONDITIONS OF PROBATION**

IT IS FURTHER ORDERED that judgment is hereby entered against the Defendant as to the fines, costs, and assessments set forth above.

The Court further advised the Defendant of his rights and procedure to appeal to the Court of Criminal Appeals of the State of Oklahoma, and of the necessary steps to be taken by him to perfect such appeal, and that if he desired to appeal and was unable to afford counsel and a transcript of the proceedings, that the same would be furnished by the State subject to reimbursement of the cost or representation in accordance with Title 22 O.S. § 1355.14. The Court further advised the Defendant that, in the event the above sentence is for a crime involving domestic violence where the Defendant is or was a spouse, intimate partner, parent, or guardian of the victim, or is or was involved in another similar relationship with the victim, it may be unlawful for him or her to possess, purchase, receive, transport or ship a firearm including a rifle, pistol or revolver or ammunition pursuant to federal law under Title 18 U.S.C. § 992(g)(8) or (9), or state law or both.

In the event the above sentence is for incarceration in the Department of Corrections, the Sheriff of Mayes County, Oklahoma is ordered and directed to deliver the Defendant to the Lexington Assessment and Reception Center at Lexington, Oklahoma, and leave therewith a copy of this Judgment and Sentence to serve as warrant authority of the Sheriff for the transportation and the imprisonment of the Defendant as herein before provided. The Sheriff to make due return to the clerk of this Court, with his proceedings endorsed thereon.

**COURT CLERK'S DUTY**

[TRIAL JUDGE TO COMPLETE THIS SECTION]

IT IS FURTHER ORDERED that the Clerk of this Court shall register or report the following circumstances in accordance with the applicable statutory authority:

☒ As to Count(s) 1, the defendant is ineligible to register to vote pursuant to Section 4-101 of Title 26.

( ) Pursuant to Section 985.1 of Title 22, the Court departed from the mandatory minimum sentence of imprisonment as to Count(s) \_\_\_\_\_.

( ) As to Count(s) \_\_\_\_\_, the defendant is subject to the Methamphetamine Offender Registry requirements as set forth in Section 2-701 of Title 63.

( ) As to Count(s) \_\_\_\_\_, the defendant is subject to the Mary Rippey Violent Crime Offenders Registration Act requirements as set forth in Section 594 of Title 57.


( ) Defendant is a lawyer and certified copies of this document shall be transmitted to the Chief Justice of the Supreme Court and the General Counsel of the Bar Association within five (5) days as set forth in Rule 7.2 of the Oklahoma Rules of Professional Conduct, 5 O.S.Supp.2014, ch. 1, app. 1-A.

WITNESS my hand the day and year first above mentioned.

  
Rebecca J Gore  
Judge of the District Court

(SEAL)

ATTEST: Jenifer Clinton, Court Clerk

  
\_\_\_\_\_  
Deputy Clerk

**CLERK'S CERTIFICATION OF COPIES**

I, Jenifer Clinton, Clerk of the District Court of Mayes County, State of Oklahoma, do hereby certify the foregoing to be a true, correct, full and complete copy of the original Judgment and Sentence in the case of Oklahoma v. RICHARD WILLIAM LONG as the same appears of record in my office.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Jenifer Clinton, Court Clerk

By: \_\_\_\_\_  
Deputy Clerk

(SEAL)

**SHERIFF'S RETURN**

I received this Judgment and Sentence the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and executed it by delivering the Defendant to the Oklahoma Department of Corrections at Lexington Assessment and Reception Center, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

I also certify the above prisoner has served \_\_\_\_\_ days in the County Jail on the present charge or charges.

Mike Reed, Sheriff

\_\_\_\_\_  
Deputy Sheriff

IN THE DISTRICT COURT OF MAYES COUNTY  
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

vs.

LONG, RICHARD WILLIAM

Defendant.

CASE NUMBER: CF-21-00212

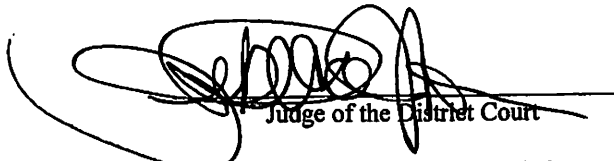
DOB: FEBRUARY, 1970

ATTACHMENT A

The Defendant, LONG, RICHARD WILLIAM, is ordered by the attached Judgment and Sentence to repay the Court Fund of Mayes County the following dollar amounts representing fines, costs and assessments resulting from his/her conviction. Monies collected shall be applied to the balance due in the order of priority listed on this attachment. All fines, costs and assessments are due and owing from the date of sentencing and must be paid in full hearing within 30 days of release or the Defendant must reappear in this Court for further proceedings. Costs, such as appellate proceedings, transportation costs and incarceration costs may continue to accrue after judgment and sentence. Additional costs may be certified by the Court Clerk as they accrue.

SCHEDULE OF REIMBURSEMENT

1.	Court Costs	\$ 689 <sup>31</sup>
2.	Fines	\$ 100 <sup>00</sup>
3.	CLEET	\$ 20 <sup>00</sup>
4.	County Sheriff	\$ 638 <sup>24</sup>
5.	Victim's Compensation	\$ 50 <sup>00</sup>
6.	OSBI Lab Fees	\$ -
7.	Attorney Fees	\$ -
8.	District Attorney's Drug Fund	\$ -
9.	Restitution	\$ -
10.	Pre-Sentence Investigation Fee	\$ -
11.	Previous Costs	\$ -
12.		\$ -
TOTAL		\$ 1497 <sup>60</sup>

  
Judge of the District Court

I certify that the foregoing figures are true and accurate to the best of my knowledge as of the date of sentencing.

JENIFER CLINTON, Court Clerk

By:   
Deputy

Date: 4-24-23

## Form 13.8(A) Additional Findings at Time of Sentencing

CF-21-212

[At the time of formal sentencing the sentencing judge, on the record, shall either complete the additional findings or review a form 13.8(A) which has been completed by the parties to ensure its accuracy. Upon completion of the form it shall be ordered filed of record and be attached as Exhibit 1 to the Uniform Judgment and Sentence filed in the case. In accordance with House Concurrent Resolution No. 1001, dated June 19, 1998, references to a sentence matrix refer to the Oklahoma Truth In Sentencing Act.]

EXHIBIT 1: Additional Findings of the Court to Case No. \_\_\_\_\_

In the District Court of Mayes County

## I. Original Charges

(a copy of the information may be attached instead)

Please list any additional charges on a separate attached sheet

FILED IN THE DISTRICT COURT  
MAYES CO., OKLAHOMA

APR 18 2023

JENIFER CLINTON, COURT CLERK  
BY: \_\_\_\_\_ DEPUTYOffenseStatute Citation

GRAND LARCENY VALUE \$100 to \$2500  
AFC 2+ Previous Felonies

21 O.S. § 1705  
21 O.S. § 51.1

## II. Prior Felony Convictions Used For Enhancement

Please list any additional convictions on a separate attached sheet

OffenseDateStatute Citation

DUI	12/17/19	47 O.S. § 11-902
DUI	6/25/12	"
DUI	5/16/16	"
DUI	9/10/04	"
DUI A+B by STRIPPER	3/9/17	21 O.S. § 644(c)?

## III. Prior Charge(s) For Which Order Deferring Sentence Was Entered

Please list any additional charges on a separate attached sheet

OffenseDateStatute Citation


**IV. Prior Felony Convictions Not Used For Enhancement**  
Please list any additional convictions on a separate attached sheet

<u>Offense</u>	<u>Date</u>	<u>Statute Citation</u>
<i>See Question / Part II</i>		

V.

Circle

If the defendant is pleading guilty to multiple counts, did the offense(s) arise from the same transaction? Yes No

**VI. Other Enhancers Used to Determine Placement on Matrix**

Circle

1. Did the offender commit the current offense with the use of a firearm within the immediate possession and control of the offender? Yes No
2. Was the victim of the offense over 62 years of age, under 12 years of age, or disabled by reason of mental or physical illness to such an extent that the victim lacked the ability to effectively protect his or her property or person? Yes No
3. Did the offender in the commission of the offense maim or torture the victim? Yes No
4. Did the offender commit a Schedule N-2 or N-3 drug offense in, on, or within 1,000 feet of real property comprising of a public or private elementary or secondary school; public or private college, university, or other institution of higher education; recreation or public park (including state facilities); public housing project; or in the presence of any child under 12 years of age? Yes No
5. Did the offender commit a Schedule N-2 or N-3 drug offense by using or soliciting the services of a person less than 18 years of age, providing the offender was at least 18 years of age at the time of the offense? Yes No
6. If the controlling offense was a property or drug offense, what was the total amount involved in that offense (e.g., the value of the property involved; the amount of money stolen, embezzled, or obtained by fraud; or the amount of drug proceeds utilized)? \$ Unknown value
7. If the controlling offense was a drug offense, what was the predominant drug and what was the amount of that drug (specify, grams, ounces, etc)?  
Drug: W/A  
Quantity: \_\_\_\_\_  
(oz, grams, etc)



**VII. Offender Characteristics**

(A copy of the pre-sentence investigation may be attached instead.)

Gender (Circle)

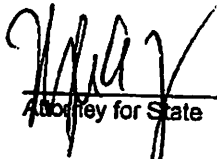
☒ Male ☐ Female

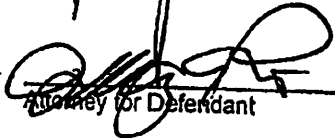
Race (Circle)

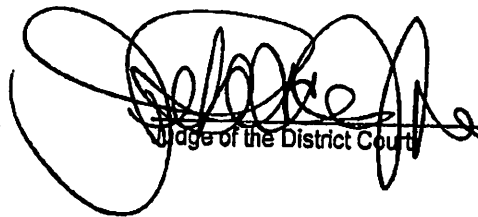
☒ White ☐ Black ☐ Hispanic ☐ Asian ☐ Native Am.

**This Exhibit shall not be admitted into evidence in any future prosecutions.**

Certified this 18 day of April, 2023

  
\_\_\_\_\_  
Attorney for State

  
\_\_\_\_\_  
Attorney for Defendant

  
\_\_\_\_\_  
Judge of the District Court

**CLERK'S CERTIFICATION OF COPIES**

I, JENIFER CLINTON, Clerk of the District Court of Mayes County, State of Oklahoma, do hereby certify the foregoing to be a true, correct, full and complete copy of the original Judgment and Sentence in the case of the State of Oklahoma vs. LONG, RICHARD WILLIAM; the same as appears of record in my office.

Witness my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2023\_\_.

CLERK  
(SEAL)

JENIFER CLINTON, COURT

By: \_\_\_\_\_  
Deputy

**SHERIFF'S RETURN**

I received this Judgment and Sentence on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and executed the same by delivering the defendant to the Warden of the Lexington Assessment and Reception Center at Lexington, Oklahoma on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. I also certify the above prisoner has served \_\_\_\_ days in the Mayes County Jail on the present charge and/or charges.

MIKE REED, SHERIFF

By: \_\_\_\_\_  
Deputy